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1986 ANNUAL REPORT
of the
DELAWARE JUDICIARY

December 30, 1986

Prepared by the

ADMINISTRATIVE OFFICE OF THE COURTS

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Director

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TABLE OF CONTENTS

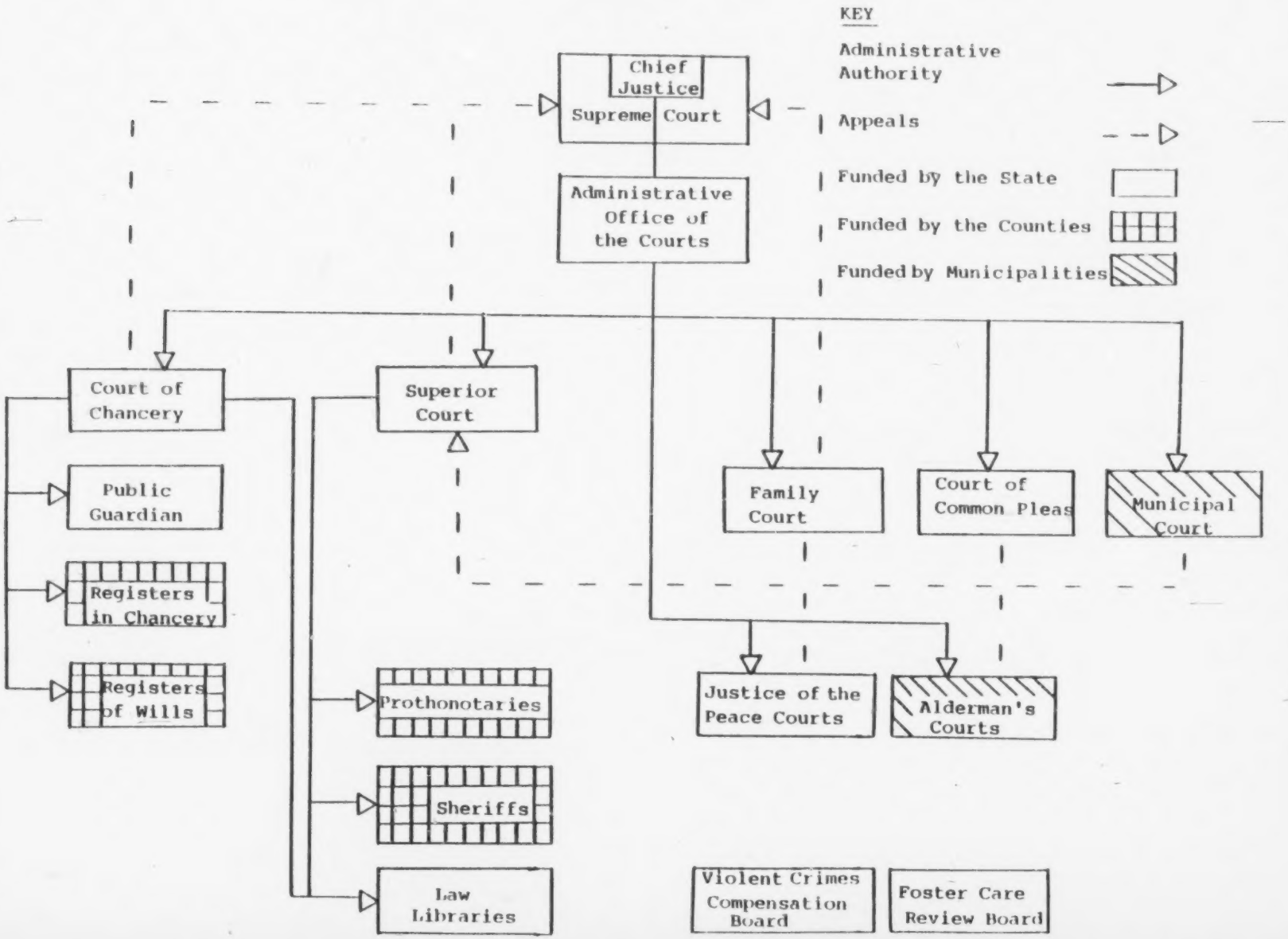
I.	INTRODUCTION & OVERVIEW	5
	Organization Chart of the Delaware Judiciary	6
	Summary of Judicial Budgets - FY's 1985-1986-1987-1988	7
	Court-Generated Revenue - FY 1986	9
	Delaware State Government and Judiciary Appropriations - FY 1987	11
II.	ADMINISTRATIVE OFFICE OF THE COURTS	13
	Description	14
	Personnel	15
III.	SUPREME COURT	17
	Description	18
	Judiciary	20
	Support Personnel	21
	Statistics	22
IV.	COURT OF CHANCERY	29
	Description	30
	Judiciary	32
	Support Personnel	33
	Statistics	36
V.	PUBLIC GUARDIAN	43
	Description	44
	Personnel	46
	Statistics	47
VI.	SUPERIOR COURT	49
	Description	50
	Judiciary	52
	Support Personnel	53
	Statistics	56
VII.	LAW LIBRARIES	95
	Description	96
	Personnel	97
VIII.	FAMILY COURT	99
	Description	100
	Judiciary	102
	Support Personnel	103
	Statistics	105
IX.	COURT OF COMMON PLEAS	117
	Description	118
	Judiciary	120
	Support Personnel	121
	Statistics	122

TABLE OF CONTENTS (CONTINUED)

X.	MUNICIPAL COURT	131
	Description	132
	Judiciary	134
	Support Personnel	135
	Statistics	136
XI.	JUSTICE OF THE PEACE COURTS	141
	Description	142
	Map of Court Locations	144
	Organization Chart	145
	Judiciary	146
	Support Personnel	147
	Statistics	151
XII.	ALDERMAN'S COURTS	165
	Description	166
	Map of Court Locations	167
	Aldermen	168
	Support Personnel	169
	Statistics	171
XIII.	VIOLENT CRIMES COMPENSATION BOARD	177
	Description	178
	Personnel	179
XIV.	FOSTER CARE REVIEW BOARD	181
	Description	182
	Personnel	184
XV.	CONFERENCES AND COUNCILS	185
	Court on the Judiciary	186
	Judicial Conference	186
	Criminal Justice Council	187
XVI.	LEGISLATION	189
	Description	190

Introduction & Overview

THE DELAWARE JUDICIAL SYSTEM



SUMMARY OF JUDICIAL BUDGETS
FISCAL YEARS 1985-1986-1987-1988

	F.Y. 1985 Actual Disbursement	F.Y. 1986 Actual Disbursement	F.Y. 1987 Appropriation	F.Y. 1988 Request
STATE*				
Administrative Office of the Courts	$ 2,593,300	$ 2,776,400	$ 2,902,700	$ 3,479,600
Judicial Information Center	468,800	542,600	597,400	1,148,700
Supreme Court	991,900	1,057,600	1,174,600	1,301,700
Court of Chancery	768,400	934,900	976,700	1,042,300
Public Guardian	122,200	134,900	140,700	156,100
Superior Court	3,483,900	4,164,200	4,564,100	6,546,000
Law Libraries	266,600	333,900	303,000	337,100
Family Court	5,991,900	7,060,500	8,127,200	9,949,100
Court of Common Pleas	1,653,800	1,833,700	1,896,000	2,143,200
Justice of the Peace Courts	4,565,600	5,385,300	5,542,500	6,186,400
Violent Crimes Compensation Board	570,200	827,100	906,500	965,800
Foster Care Review Board	123,900	132,900	177,400	200,700
STATE TOTALS	$21,600,500	$25,184,000	$27,308,800	$33,456,700
NEW CASTLE COUNTY				
Register in Chancery	$ 397,300	$ 404,809	$ 419,446	N.A.
Register of Wills	405,640	478,770	493,058	N.A.
Prothonotary	1,197,215	1,284,831	1,413,523	N.A.
Sheriff	801,665	905,694	908,753	N.A.
NEW CASTLE COUNTY TOTALS	$ 2,801,820	$ 3,074,104	$ 3,234,780	N.A.
KENT COUNTY				
Register in Chancery	$ 54,796	$ 61,576	$ 64,835	N.A.
Register of Wills	40,828	41,608	49,962	N.A.
Prothonotary	123,456	162,103	189,147	N.A.
Sheriff	95,368	116,966	119,162	N.A.
KENT COUNTY TOTALS	$ 314,448	$ 382,253	$ 423,106	N.A.

*Figures include State governed funds, federal funds, and other funds.
N.A. = Not Available

SUMMARY OF JUDICIAL BUDGETS (CONTINUED)
FISCAL YEARS 1985-1986-1987-1988

	F.Y. 1985 Actual Disbursement	F.Y. 1986 Actual Disbursement	F.Y. 1987 Appropriations	F.Y. 1988 Request
SUSSEX COUNTY				
Register in Chancery	$ 51,586	$ 50,618	$ 53,098	N.A.
Register of Wills	42,556	47,964	53,869	N.A.
Prothonotary	78,664	90,349	96,098	N.A.
Sheriff	97,277	77,775	87,687	N.A.
SUSSEX COUNTY TOTALS	$ 270,083	$ 266,706	$ 290,752	N.A.
MUNICIPALITIES				
Municipal Court*	$ 808,874	$ 873,098	$ 948,104	N.A.
Alderman's Courts	N.A.	N.A.	N.A.	N.A.
MUNICIPALITIES TOTALS	N.A.	N.A.	N.A.	N.A.
GRAND TOTALS - JUDICIAL BRANCH**	$25,795,725	$29,780,161	$32,205,542	$33,456,700

N.A. = Not Available
*Figures include City of Wilmington funds and federal funds.
**Alderman's Courts not included in any totals. Totals for FY 1988 include only State totals.

COURT-GENERATED REVENUE*

FISCAL YEAR 1986

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Disbursement##
SUBMITTED TO STATE GENERAL FUND						
Administrative Office of the Courts	$ 0	$ 0	$ 0	$ 0	$ 0	0.0%
Judicial Information Center	0	0	0	0	0	0.0%
Supreme Court	15,800	0	0	0	15,800	1.5%
Court of Chancery	0	0	296,600	441,100	737,700	78.9%
Public Guardian	0	0	0	1,600	1,600	1.2%
Superior Court	15,600	9,500	46,600	48,000	119,700	2.9%
Law Libraries	0	0	0	0	0	0.0%
Family Court	322,500	24,300	0	11,400	358,200	5.1%
Court of Common Pleas	133,600	226,600	0	4,600	364,800	19.9%
Justice of the Peace Courts	1,483,400	2,175,700	0	13,500	3,672,600	68.2%
Foster Care Review Board	0	0	0	0	0	0.0%
STATE GENERAL FUND TOTALS	$1,970,900	$2,436,100	$343,200	$520,200	$5,270,400	20.9%
RECEIVED BY VICTIMS COMPENSATION FUND						
Superior Court	-	$ 59,086	-	-	$ 59,086	-
Family Court	-	2,405	-	-	2,405	-
Court of Common Pleas	-	58,123	-	-	58,123	-
Municipal Court	-	85,270	-	-	85,270	-
Justice of the Peace Courts	-	496,217	-	-	496,217	-
Alderman's Courts	-	84,116	-	-	84,116	-
Restitution	-	9,368	-	-	9,368	-
VICTIMS COMPENSATION FUND TOTALS	-	$ 794,585	-	-	$ 794,585	95.9%
SUBMITTED TO NEW CASTLE COUNTY						
Register in Chancery	$ 221,647	$ 0	$284,658	$ 0	$ 506,305	146.7%
Register of Wills	1,280,752	0	105,824	0	1,386,576	286.4%
Prothonotary	401,124	0	43,415	0	444,539	40.6%
Sheriff	262,952	0	0	0	262,952	30.5%
Justice of the Peace Courts	0	269,885	0	0	269,885	5.0%
NEW CASTLE COUNTY TOTALS	$2,166,475	$ 269,885	$433,897	$ 0	$2,870,257	88.3%¶

*Figures represent only revenue actually collected, not the total amount of fines and costs actually assessed.
**Counties receive 50% of all Court of Chancery interest money and 25% of all Superior Court interest money.
#Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, copying machine revenue, and escheated funds.
##FY 1986 Revenue divided by FY 1986 Actual Disbursement, which includes State general, federal, and other funds.
¶Revenue as % of disbursement for county offices.

COURT-GENERATED REVENUE (CONTINUED)*

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Disbursement##
SUBMITTED TO KENT COUNTY						
Register in Chancery	$ 11,913	$ 0	$ 6,603	$ 0	$ 18,516	30.1%
Register of Wills	197,810	0	0	0	197,810	475.4%
Prothonotary	75,425	0	1,253	0	76,678	47.3%
Sheriff	14,122	0	0	0	14,122	12.1%
KENT COUNTY TOTALS	$ 299,270	$ 0	$ 7,856	$ 0	$ 307,126	80.3%
SUBMITTED TO SUSSEX COUNTY						
Register in Chancery	$ 29,860	$ 0	$ 2,168	$ 0	$ 32,028	63.3%
Register of Wills	301,187	0	0	0	301,187	627.9%
Prothonotary	58,118	11,014	3,270	7,857	80,259	88.8%
Sheriff	53,353	0	0	0	53,353	68.6%
SUSSEX COUNTY TOTALS	$ 442.518	$11,014	$ 5,438	$7,857	$ 466,827	175.0%
SUBMITTED TO MUNICIPALITIES						
Municipal Court	$ 133,191	$ 632,381	$ 0	$ 0	$ 765,572	87.7%
Justice of the Peace Courts	0	669,863	0	0	669,863	12.4%
Alderman's Courts	175,373	635,777	0	0	$ 811,150	N.A.
MUNICIPALITIES TOTALS	$ 308,564	$1,938,021	$ 0	$ 0	$2,246,585	N.A.
GRAND TOTALS - JUDICIAL BRANCH	$5,187,727	$5,449,605	$790,391	$528,057	$11,955,780	40.1%§

N.A. = Not Available

*Figures represent only revenue actually collected, not the total amount of fines and costs actually assessed.

**Counties receive 50% of all Court of Chancery interest money and 25% of all Superior Court interest money.

#Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, copying machine revenue, and escheated funds.

##FY 1986 Revenue divided by FY 1986 Actual Disbursement, which includes State general, federal, and other funds.

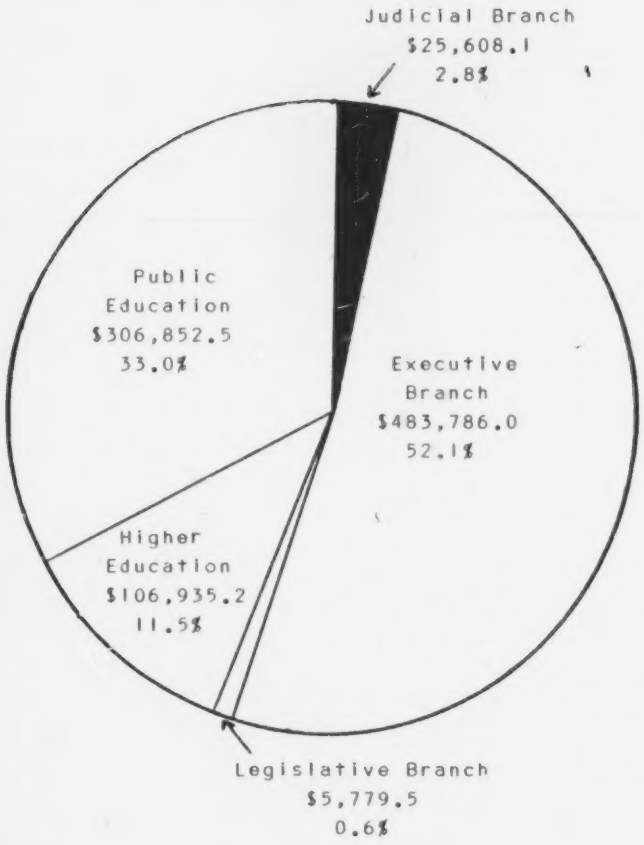
§This figure is approximate as some expenditure data is not available.

NOTE: Total revenue generated by the Justice of the Peace Courts in FY 1986 was $4,612,348, which represents 85.6% of expenditures for that year.

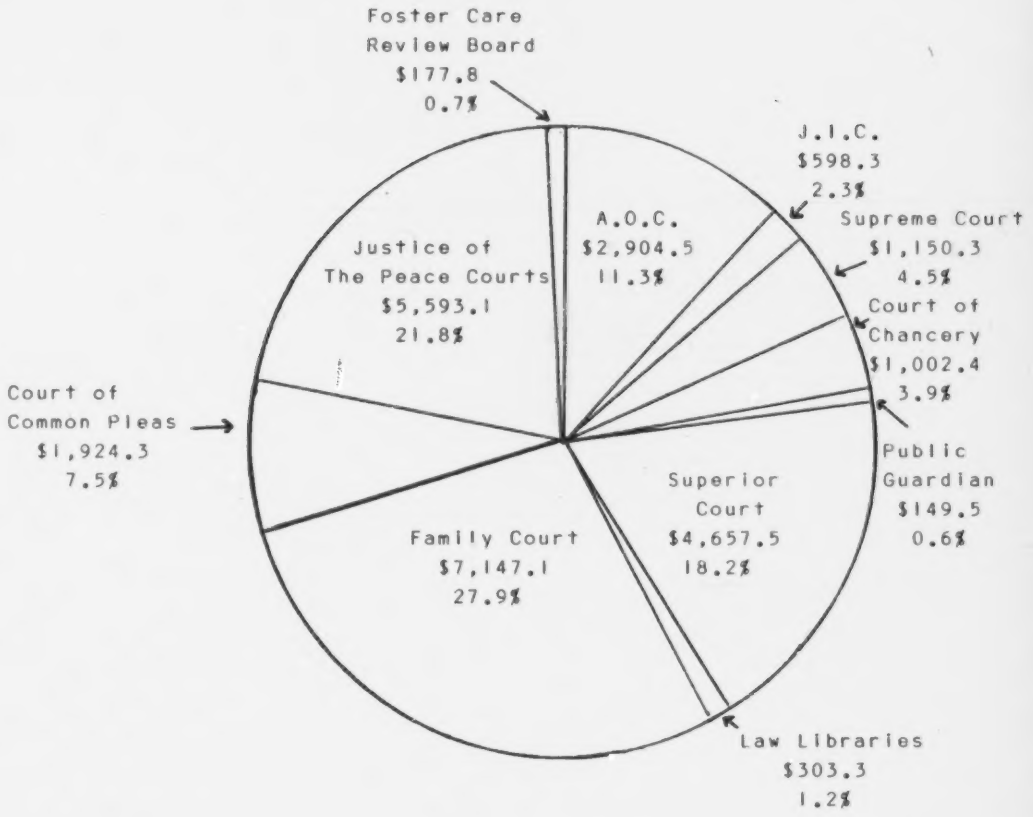
DELAWARE STATE GOVERNMENT APPROPRIATIONS*
(IN THOUSANDS)

FISCAL YEAR 1987

STATE APPROPRIATIONS - TOTAL
$928,961.3



STATE APPROPRIATIONS - JUDICIARY
$25,608.1



*State general fund monies only.
A.O.C. = Administrative Office of the Courts
J.I.C. = Judicial Information Center

Source: 133rd General Assembly, Senate Bill 560

Administrative Office of the Courts

ADMINISTRATIVE OFFICE OF THE COURTS

Legal Authorization

The Administrative Office of the Courts was established by 10 Delaware Code, Chapter 1.

Duties

The Administrative Office of the Courts serves as the central point for coordination and communications concerning all court administrative activities in the judicial system. The office prepares budgets for the Court of Chancery, and the Foster Care Review Board, and assists in preparation of the budgets of the Supreme Court, Public Guardian and the Law Libraries. It administers the payment of all jurors and witnesses. The AOC is responsible for the payment of certain court rentals. It has primary responsibility for the acquisition, supervision, and administration of federal funds received to assist the court system. The Administrative Office of the Courts has responsibility for the development and maintenance of the computerized judicial information system and the Personnel System for the Non-Merit System Courts. Also, the AOC acts as the focal point between the court system and other government agencies on the local, state, and federal levels. The Administrative Office of the Courts collects statistics from the various courts and produces the Annual Report of the Delaware Judiciary. The AOC also performs other duties as prescribed by the Chief Justice.

Personnel

The Director of the Administrative Office of the Courts is appointed by and serves at the pleasure of the Chief Justice of the Supreme Court of the State of Delaware.

The Director may, with the approval of the Chief Justice, appoint such assistants and clerical personnel as are required.

ADMINISTRATIVE OFFICE OF THE COURTS

Main Office
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801
(571-2480)

Judicial Information Center
Public Building
1020 King Street
Wilmington, DE 19801
(571-2344)

PERSONNEL

Director
John R. Fisher (Vacant eff. 1/1/87)
Joyce A. Zeller, Secrerary

Deputy Director
Lowell L. Groundland

Statistician
Adam Golby

Personnel Manager
Vacant

Personnel Officer
E. Lynn Deramo-Durr

Fiscal Services Manager
E. Dawn Bowman

Accounting Clerks
Geeta T. Nandakumar
Robin C. Jenkins

Word Processing Operator
Maria Cook

Information Resources Manager
James D. Brown

Data Processing Manager
James P. Boulanger

Data Base Administrator
Donald L. Hudgins

Programmer/Analysts
Ernest J. Hoh
Allan Bruner
Robert N. Parlier
Michael D. Gibson
Robby U. Khanal

Computer Operators
Patricia A. Hall
Annette Lang

Clerk Typist
Jackie Morehouse-Philips

Supreme Court

Supreme Court

Authorization

The Supreme Court is created by the Constitution of Delaware, Article IV, Section 1. The Supreme Court sits in Dover but the Justices maintain their chambers in the counties where they reside.

Jurisdiction

The Court has final appellate jurisdiction in criminal cases in which the sentence exceeds certain minimums, in civil cases as to final judgements, and for certain other orders of Court of Chancery, Superior Court, and Family Court. Appeals are heard on the record. Under some circumstances the Supreme Court has jurisdiction to issue writs of prohibition, quo warranto, certiorari, and mandamus.

Justices

The Supreme Court consists of a Chief Justice and four Justices, who are appointed by the Governor with the consent of the Senate. The Justices are appointed for 12-year terms and must be learned in the law and citizens of the State. Three of the Justices must be of one of the major political parties while the other two Justices must be of the other major political party.

Administration

The Chief Justice is responsible for the administration of all courts in the State and appoints a Director of the Administrative Office of the Courts to manage the non-judicial aspects of court administration. The Supreme Court is staffed by a Court Administrator, a Clerk, law clerks, a Chief Deputy Clerk, secretaries and a clerk/bailiff.

Caseload Trends

There were 420 filings during FY 1986, which is a 2.7% rise from the 409 filings in FY 1985. There was an increase of 11.5% in dispositions from 375 in FY 1985 to 418 in FY 1986. Pending cases rose only slightly during FY 1986 from 235 at the end of FY 1985 to 237 at the end of FY 1986.

Elapsed time information on the average time from filing to dispositin was collected once again during FY 1986 while data on the average time from submission to disposition was obtained for the first time during FY 1986. The former measure deals with the time from the date on which the case is filed in the Supreme Court to the date of disposition while the latter is limited to the time from the date on which the case is submitted for judicial decision to the date of disposition. The average elapsed time from filing to disposition fell from 234.6 days in FY 1985 to 186.3 days in FY 1986. The average time from submission to disposition was 40.9 days in FY 1986.

The time taken from the date of filing for a case in Supreme Court to the date on which it is submitted for judicial decision is the cause for the substantial difference in the elapsed time data from filing to disposition as compared with submission to disposition. This reflects the fact that a case may take up to 165 days from the date it is filed to the date it is submitted for judicial decision even where no time extensions are granted. These delays are caused by the time periods allowed by the rules for the preparation of transcript of the proceedings in the trial and for the submission of briefs in the Supreme Court.

SUPREME COURT

JUDICIARY

Chief Justice Andrew D. Christie (R, 9/30/97)
Elaine M. Ryan, Secretary (571-3700)
Elbert N. Carvel Delaware State Building, 11th Floor
820 North French Street
P.O. Box 1997
Wilmington, DE 19899

Justice Henry R. Horsey (R, 10/30/90)
Audrey F. Bacino, Secretary (736-4214)
Supreme Court Building
57 The Green
P.O. Box 476
Dover, DE 19903

Justice Andrew G. T. Moore, II (D, 5/13/94)
Carolyn Walker, Secretary (571-3730)
Elbert N. Carvel Delaware State Building, 11th Floor
820 North French Street
P.O. Box 1997
Wilmington, DE 19899

Justice Joseph T. Walsh (D, 9/30/97)
Linda Flohr, Secretary (571-2690)
Elbert N. Carvel Delaware State Building, 11th Floor
820 North French Street
P.O. Box 1997
Wilmington, DE 19899

Justice Randy J. Holland (R, 12/2/98)
Mary Catherine Pritchett (856-5363)
Supreme Court Chambers
Sussex County Courthouse
The Circle
P.O. Box 229
Georgetown, DE 19947

SUPREME COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Supreme Court Chambers
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
P.O. Box 1997
Wilmington, DE 19899

Court Administrator
Stephen D. Taylor
(571-3706)

Administrative Secretary
Cecelia E. Kelley
(571-2429)

Law Clerks
Matthew Boyer
(571-3709)
Steven Miriani
(571-3722)
Steven Brock
(571-3799)

Receptionist/Clerk Typist
Deborah L. Collins
(571-2425)

KENT COUNTY

Supreme Court Building
55 The Green
P.O. Box 476
Dover, DE 19903

Clerk of the Supreme Court
Andrew T. Horsey, Esquire
(736-4155)

Chief Deputy Clerk
Cathy L. Howard
(736-4155)

Bailiff/Clerk
Deborah Zatlokovicz
(736-4155)

Russell Phillips
(736-4214)

SUSSEX COUNTY

Supreme Court Chambers
Sussex County Courthouse
The Circle
P.O. Box 229
Georgetown, DE 19947

Kevin McKenna
(856-5363)

SUPREME COURT

FISCAL YEAR 1986
WORKLOAD SUMMARY

	Pending 6/30/85	Filings	Dispositions	Pending 6/30/86	Change In Pending	% Change In Pending
Criminal Appeals	83#	155	128	110	+27	+ 32.5%
Civil Appeals	135#	230	246	119	-16	- 11.9%
Certifications	2	3	3	2	0	0.0%
Original Applications*	15	32	41	6	- 9	- 60.0%
TOTALS	235	420	418	237	+ 2	+ 0.9%

COMPARISON - FISCAL YEARS 1985-1986
WORKLOAD

FILINGS

	1985	1986	Change	% Change
Criminal Appeals	127	155	+28	+ 22.0%
Civil Appeals	256	230	-26	- 10.2%
Certifications	3	3	0	0.0%
Original Applications	9	25	+16	+177.8%
Bd. on Prof. Resp.	14	4	-10	- 71.4%
Bd. of Bar Exam.	0	3	+ 3	-
TOTALS	409	420	+11	+ 2.7%

DISPOSITIONS

	1985	1986	Change	% Change
Criminal Appeals	140	128	-12	- 8.6%
Civil Appeals	217	246	+29	+ 13.4%
Certifications	2	3	+ 1	+ 50.0%
Original Applications	9	26	+17	+188.9%
Bd. on Prof. Resp.	7	13	+ 6	+ 85.7%
Bd. of Bar Exam.	0	2	+ 2	-
TOTALS	375	418	+43	+ 11.5%

*Board of Bar Examiners and Board on Professional Responsibility are included with the original applications in the Workload Summary. Each is listed separately, however, in the Workload Comparison.
#Amended from 1985 Annual Report.
Bd. on Prof. Resp. = Board on Professional Responsibility
Bd. of Bar Exam. = Board of Board Examiners

Source: Court Administrator and Clerk of the Supreme Court

SUPREME COURT

FISCAL YEAR 1986
WORKLOAD BREAKDOWNS

FILINGS

	Court of Chancery	Superior Court	Family Court	Non-Court Originated	TOTALS
Criminal Appeals	0 0.0%	155 100.0%	0 0.0%	0 0.0%	[illegible] 100.0%
Civil Appeals	46 20.0%	129 56.1%	55 23.9%	0 0.0%	230 100.0%
Certifications	0 0.0%	0 0.0%	0 0.0%	3 100.0%	3 100.0%
Original Applications	0 0.0%	0 0.0%	0 0.0%	25 100.0%	25 100.0%
Bd. on Prof. Resp.	0 0.0%	0 0.0%	0 0.0%	4 100.0%	4 100.0%
Bd. of Bar Exam.	0 0.0%	0 0.0%	0 0.0%	3 100.0%	3 100.0%
TOTALS	46 11.0%	284 67.6%	55 13.1%	35 8.3%	420 100.0%

DISPOSITIONS

	Court of Chancery	Superior Court	Family Court	Non-Court Originated	TOTALS
Criminal Appeals	0 0.0%	128 100.0%	0 0.0%	0 0.0%	128 100.0%
Civil Appeals	65 26.4%	127 51.6%	54 22.0%	0 0.0%	246 100.0%
Certifications	0 0.0%	0 0.0%	0 0.0%	3 100.0%	3 100.0%
Original Applications	0 0.0%	0 0.0%	0 0.0%	26 100.0%	26 100.0%
Bd. on Prof. Resp.	0 0.0%	0 0.0%	0 0.0%	13 100.0%	13 100.0%
Bd. of Bar Exam.	0 0.0%	0 0.0%	0 0.0%	2 100.0%	2 100.0%
TOTALS	65 15.6%	255 61.0%	54 12.9%	44 10.5%	418 100.0%

CHANGE IN PENDING CASES

	Court of Chancery	Superior Court	Family Court	Non-Court Originated	TOTALS
Criminal Appeals	0	+27	0	0	+27
Civil Appeals	-19	+ 2	+1	0	-16
Certifications	0	0	0	0	0
Original Applications	0	0	0	-1	- 1
Bd. on Prof. Resp.	0	0	0	-9	- 9
Bd. of Bar Exam.	0	0	0	+1	+ 1
TOTALS	-19	+29	+1	-9	+ 2

Bd. on Prof. Resp. = Board on Professional Responsibility.
Bd. of Bar Exam. = Board of Bar Examiners.

Source: Court Administrator and Clerk of the Supreme Court

SUPREME COURT

FISCAL YEAR 1986
WORKLOAD
TYPES OF DISPOSITIONS

APPEALS DISPOSITIONS

	Affirmed	Aff.Pt./ Rev.Pt.	Reversed	Reversed and Remanded	Remanded	Voluntary Dismissal	Court Dismissal	Leave to Appeal Denied	TOTALS
Criminal Appeals	87 68.0%	4 3.1%	0 0.0%	2 1.6%	2 1.6%	13 10.2%	19 14.8%	1 0.8%	128 100.0%
Civil Appeals	134 54.5%	8 3.3%	4 1.6%	7 2.8%	1 0.4%	41 16.7%	31 12.6%	20 8.1%	246 100.0%
TOTALS	221 59.1%	12 3.2%	4 1.1%	9 2.4%	3 0.8%	54 14.4%	50 13.4%	21 5.6%	374 100.0%

MISCELLANEOUS DISPOSITIONS

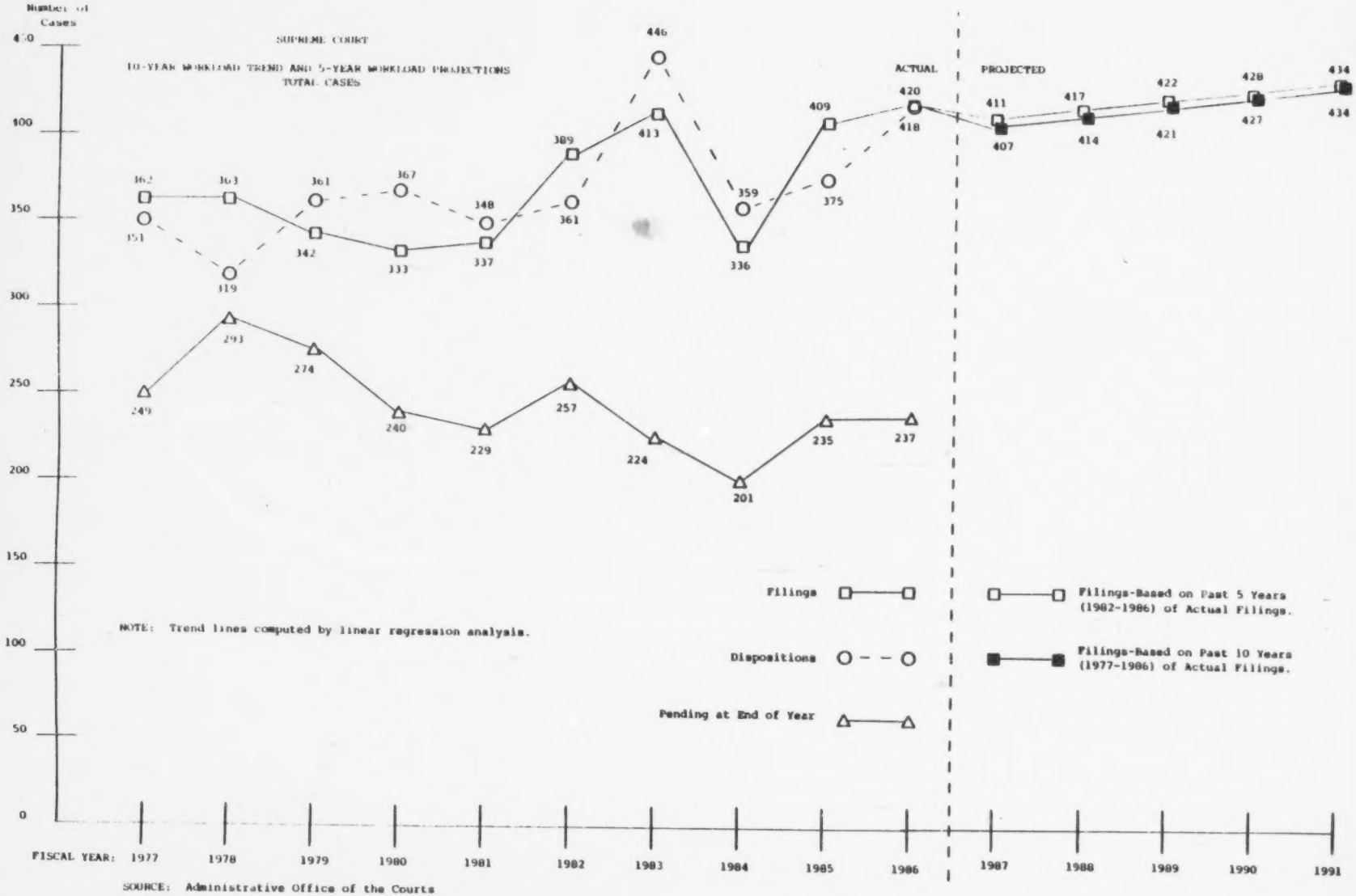
	Affirmed	Aff. Pt./ Rev. Pt.	Remanded	Leave to Appeal Denied	Court Dismissal	TOTALS
Certifications	0 0.0%	1 33.3%	0 0.0%	2 66.7%	0 0.0%	3 100.0%
Original Applications	1 3.8%	0 0.0%	0 0.0%	5 19.2%	20 76.9%	26 100.0%
Board of Bar Examiners	0 0.0%	0 0.0%	1 50.0%	1 50.0%	0 0.0%	2 100.0%
Bd. on Prof. Resp.	12 92.3%	0 0.0%	0 0.0%	0 0.0%	1 7.7%	13 100.0%
TOTALS	13 29.5%	1 2.3%	1 2.3%	8 18.2%	21 47.7%	44 100.0%

METHODS OF DISPOSITIONS

	Assigned Opinion	Per Curiam Opinion	Written Order	Voluntary Dismissal	TOTALS
Criminal Appeals	10 7.8%	2 1.6%	103 80.5%	13 10.2%	128 100.0%
Civil Appeals	39 15.9%	8 3.3%	158 64.2%	41 16.7%	246 100.0%
Certifications	1 33.3%	0 0.0%	2 66.7%	0 0.0%	3 100.0%
Original Applications	0 0.0%	0 0.0%	26 100.0%	0 0.0%	26 100.0%
Board of Bar Examiners	0 0.0%	0 0.0%	2 100.0%	0 0.0%	2 100.0%
Bd. on Prof. Resp.	7 53.8%	3 23.1%	3 23.1%	0 0.0%	13 100.0%
TOTALS	57 13.6%	13 3.1%	294 70.3%	54 12.9%	418 100.0%

Aff.Pt./Rev.Pt. = Affirmed in Part/Reversed in Part
Bd. on Prof. Resp. = Board on Professional Responsibility.

Source: Court Administrator and Clerk of the Supreme Court



SOURCE: Administrative Office of the Courts

SUPREME COURT

FISCAL YEAR 1986
PERFORMANCE SUMMARY

	Number of Dispositions	Average Time from Filing to Disposition	Average Time from Submission to Disposition*
Criminal Appeals	128	234.7 days	43.3 days
Civil Appeals	246	177.3	42.4
Certifications	3	68.3	50.7
Original Applications	26	25.0	11.4
Bd. on Prof. Resp.	13	257.8	55.8
Bd. of Bar Exam.	2	11.0	11.0
TOTALS*	418	186.3 days	40.9 days

COMPARISON - FISCAL YEARS 1985-1986
PERFORMANCE SUMMARY**

AVERAGE TIME FROM FILING TO DISPOSITION

	1985	1986	Change	% Change
Criminal Appeals	305.1 days	234.7 days	- 70.4 days	- 23.1%
Civil Appeals	196.0	177.3	- 18.7	- 9.5%
Certifications	21.0	68.3	+ 47.3	+225.2%
Original Applications	67.2	25.0	- 42.2	- 62.8%
Bd. on Prof. Resp.	295.4	257.8	- 37.6	- 12.7%
Bd. of Bar Exam.	-	11.0	-	-
TOTALS	234.6 days	186.3 days	- 48.3 days	- 20.6%

*Average time from date submitted for judicial decision to actual date of disposition.
Not all Supreme Court dispositions require a judicial decision.
**Average time from submission to disposition not available for FY 1985.

Bd. on Prof. Resp. = Board on Professional Responsibility.
Bd. of Bar Exam. = Board of Bar Examiners.

Source: Court Administrator and Clerk of the Supreme Court; Administrative Office of the Courts

SUPREME COURT

FISCAL YEAR 1986
PERFORMANCE BREAKDOWNS

ELAPSED TIME BY DISPOSITION TYPE

Type of Disposition	Number of Dispositions	Average Time from Filing to Disposition	Average Time from Submission to Disposition*
Affirmed	234	241.0 days	44.2 days
Affirmed Part/Reversed in Part	13	405.8	124.6
Reversed	4	373.5	61.3
Reversed and Remanded	9	330.4	93.2
Remanded	4	245.8	40.0
Voluntary Dismissal	54	96.8	-
Court Dismissal	71	65.2	16.6
Leave to Appeal Denied	29	31.3	16.7
TOTALS	418	186.3 days	40.9 days

ELAPSED TIME BY DISPOSITION METHOD

Method of Disposition	Number of Dispositions	Average Time from Filing to Disposition	Average Time from Submission to Disposition*
Assigned Opinion	57	408.1 days	116.5 days
Per Curium Opinion	13	235.2	36.0
Written Order	294	157.6	26.4
Voluntary Dismissal	54	96.8	-
TOTALS	418	186.3 days	40.9 days

*Average time from date submitted for judicial decision to actual date of disposition.
Not all Supreme Court dispositions require a judicial decision.

Source: Court Administrator and Clerk of the Supreme Court; Administrative Office of the Courts

Court of Chancery

COURT OF CHANCERY

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, authorizes the Court of Chancery.

Geographic Organization

The Court of Chancery holds court in Wilmington, Dover, and Georgetown.

Legal Jurisdiction

The Court of Chancery has jurisdiction to hear and determine all matters and causes in equity. The general equity jurisdiction of the Court is measured in terms of the general equity jurisdiction of the High Court of Chancery of Great Britain as it existed prior to the Separation of the American Colonies. The General Assembly may confer upon the Court of Chancery additional statutory jurisdiction. In today's practice, the litigation in the Court of Chancery consists largely of corporate matters, trusts, estates, and other fiduciary matters, disputes involving the purchase and sale of land, and questions of title to real estate, as well as commercial and contractual matters in general. When issues of fact to be tried by a jury arise, the Court of Chancery may order such facts to trial by issues at the Bar of the Superior Court (10 Del. C. §369).

Judges

The Court of Chancery consists of one Chancellor and three Vice-Chancellors. The Chancellor and Vice-Chancellors are appointed by the Governor with the consent of the majority of the Senate's elected members for 12-year terms. The Chancellor and Vice-Chancellors must be learned in the law and must be Delaware citizens.

Support Personnel

The Chancellor may appoint court reporters, bailiffs, criers or pages, and law clerks. The Register in Chancery is the Clerk of the Court for all actions except those within the jurisdiction of the Register of Wills. A Register in Chancery is elected for each county. The Chancellor or Vice-Chancellor resident in the county is to appoint one Chief Deputy Register in Chancery in each county.

The Register of Wills acts as a Clerk of the Court of Chancery for probate matters. The majority of the Register's former judicial and quasi-judicial powers are now held by the Court of Chancery. A Register of Wills is elected for each county. The Chancellor names a Chief Deputy Register of Wills for each county.

Public Guardian

The Chancellor has the duty to appoint the Public Guardian.

Caseload Trend

There were 685 civil cases filings during FY 1986 which was an increase of 6.9% from the 641 filings in FY 1985. 659 cases were completed in FY 1986, a decrease of 2.9% from the 673 cases terminated in the previous fiscal year. The rise in filings and the fall in dispositions led to a 3.1% increase in year end pending to 857 in FY 1986 from 831 in FY 1985.

There were 544 miscellaneous petitions filed and heard by the Court in FY 1986 (miscellaneous petitions include applications for appointment of guardians, for approval of tort settlements for minors, etc. and usually are completed at one judicial hearing). This represents an increase of 2.6% in statewide miscellaneous matters filed during FY 1986 along with a 1.9% decrease in miscellaneous matters disposed during FY 1986 which resulted in a 2.5% increase in pending at the end of the year between FY 1985 and FY 1986.

The 2,080 estates opened during FY 1986 marked the first time in which over 2,000 estates had been handled during a single fiscal year. This was 4.6% more than the 1,989 estates filed during FY 1985, which had been the largest number of estates filed in a fiscal year. There was a 13.0% rise in dispositions from 1,601 in FY 1985 to 1,809 in FY 1986, but there was a 9.9% increase in pending between FY 1985 and FY 1986 despite this increase in dispositions because of the large number of estates opened.

COURT OF CHANCERY

JUDICIARY

Chancellor

Hon. William T. Allen (R, 5/30/97)
Vickie L. Lally, Secretary
(571-2442)

Vice-Chancellors

Hon. Maurice A. Hartnett, III (D, 9/29/88)
Shirley D. Wood, Secretary
Joyce D. Stockslager, Secretary
(736-4397, 571-2440)

Hon. Carolyn Berger (D, 3/27/96)
Rosalie Barbera, Secretary
(571-2443)

Hon. Jack B. Jacobs (D, 9/30/97)
R. Cathy Daniels, Secretary
(571-2441)

COURT OF CHANCERY

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Court of Chancery
134 Public Building
1020 North King Street
Wilmington, Delaware 19801

Master in Chancery
Richard C. Kiger, Esquire
(571-2348)

Court Reporters
Henry D. Skogmo, Chief
(571-2447)
Lorraine B. Marino
(571-2448)
Jack B. White
(571-2447)

Notereader/Transcribers
Sharon McClure
Ann Nolan

Law Clerks
Louis Herring
Bruce A. Rogers
Melanie Sharp
Peter J. Walsh
(571-2444)

KENT COUNTY

Court of Chancery
48 The Green
Dover, Delaware 19901

SUSSEX COUNTY

Court of Chancery
Sussex County Courthouse
The Circle
Georgetown, Delaware 19947

Judicial Secretary/Receptionist
Mary Lou Wilcoxson
(856-5338)

COURT OF CHANCERY

SUPPORT PERSONNEL (CONT'D)

REGISTERS IN CHANCERY

NEW CASTLE COUNTY

Register in Chancery
Mezzanine Public Building
1020 King Street
Wilmington, Delaware 19801
(571-7540)

Registers in Chancery
John D. Kelly, III

Chief Deputies
M. Roger Holmes
Jane L. Koke

Deputies
Patricia G. Randolph
Ken Lagowski

KENT COUNTY

Register in Chancery
Kent County Courthouse
38 The Green
Dover, Delaware 19901
(736-2242; 736-2243)

Loretta L. Wootten

B. Gail Shaughnessy

Lydia M. McClary

SUSSEX COUNTY

Register in Chancery
Sussex County Courthouse
The Circle
Georgetown, Delaware 19947
(856-7701, X250)

Harvey F. Donovan, Sr.

Bonnie E. Gregory

Shirley S. Sommers
Marie A. Whaley

COURT OF CHANCERY

REGISTERS OF WILLS

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Register of Wills Mezzanine, Public Building 1020 North King Street Wilmington, Delaware 19801 (571-7545)	Register of Wills Kent County Courthouse 38 The Green Dover, Delaware 19901 (736-2233)	Register of Wills Sussex County Courthouse P.O. Box 111 The Circle Georgetown, Delaware 19947 (856-7701, X206)
Registers of Wills Joseph F. Flickinger, III Diane Button, Secretary	Sandra W. Dean	Ronald B. Waller
Chief Deputies Grover D. Luttrell, Jr. Patricia Olesky	Francine Gilbert	Isabelle P. Morris
Deputies Lillian Kleveland Adelaide Giacoma	Dawn A. Gray	Marie A. Scott

COURT OF CHANCERY

FISCAL YEAR 1986
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/85	Filings	Dispositions	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle	657	555	536	676	+19	+ 2.9%
Kent	60	45	35	70	+10	+16.7%
Sussex	114	85	88	111	- 3	- 2.6%
State	831	685	659	857	+26	+ 3.1%

COMPARISON - FISCAL YEARS 1985-1986
CIVIL CASES
WORKLOAD

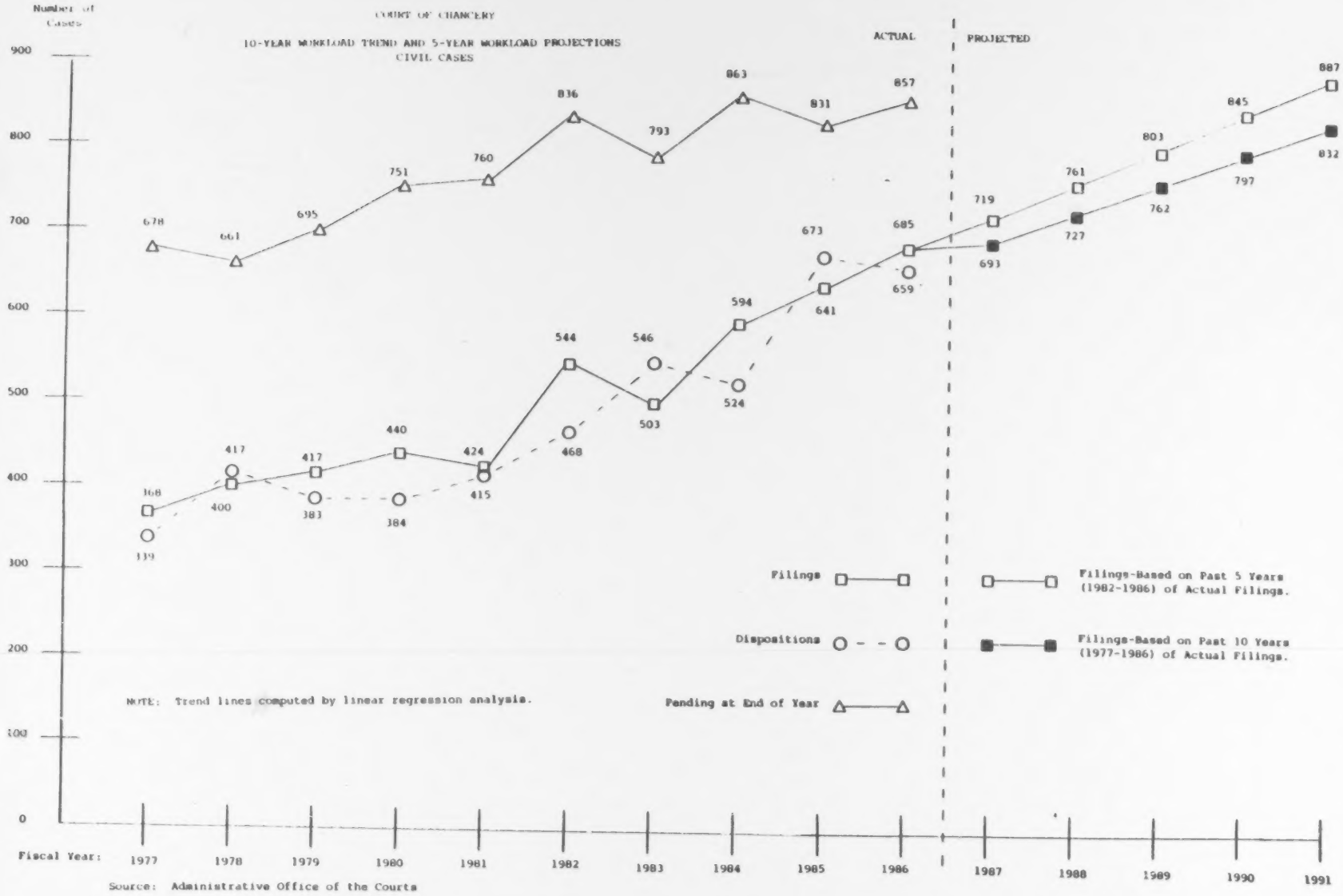
FILINGS

	1985	1986	Change	% Change
New Castle	539	555	+ 16	+ 3.0%
Kent	32	45	+ 13	+40.6%
Sussex	70	85	+ 15	+21.4%
State	641	685	+ 44	+ 6.9%

DISPOSITIONS

	1985	1986	Change	% Change
New Castle	560	536	- 24	- 4.3%
Kent	52	35	- 17	-32.7%
Sussex	61	88	+ 27	+44.3%
State	673	659	- 14	- 2.1%

Source: New Castle County, Kent County, and Sussex County Registers in Chancery



Source: Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1986
MISCELLANEOUS MATTERS
WORKLOAD SUMMARY

	Pending 6/30/85	Filings	Dispositions	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle	3,116	292	248	3,160	+ 44	+1.4%
Kent	653	50	28	675	+ 22	+3.4%
Sussex	1,178	202	144	1,236	+ 58	+4.9%
State	4,947	544	420	5,071	+124	+2.5%

COMPARISON - FISCAL YEARS 1985-1986
MISCELLANEOUS MATTERS

FILINGS

	1985	1986	Change	% Change
New Castle	297	292	- 5	- 1.7%
Kent	48	50	+ 2	+ 4.2%
Sussex	185	202	+17	+ 9.2%
State	530	544	+14	+ 2.6%

DISPOSITIONS

	1985	1986	Change	% Change
New Castle	264	248	-16	- 6.1%
Kent	22	28	+ 6	+27.3%
Sussex	142	144	+ 2	+ 1.4%
State	428	420	- 8	- 1.9%

Source: New Castle County, Kent County, and Sussex County Registers in Chancery

COURT OF CHANCERY

FISCAL YEAR 1986
MISCELLANEOUS MATTERS
WORKLOAD BREAKDOWNS

FILINGS

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	82 28.1%	102 34.9%	5 1.7%	81 27.7%	22 7.5%	292 100.0%
Kent	19 38.0%	19 38.0%	1 2.0%	3 6.0%	8 16.0%	50 100.0%
Sussex	22 10.9%	36 17.8%	0 0.0%	86 42.6%	58 28.7%	202 100.0%
State	123 22.6%	157 28.9%	6 1.1%	170 31.3%	88 16.2%	544 100.0%

DISPOSITIONS

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	71 28.6%	69 27.8%	4 1.6%	96 38.7%	8 3.2%	248 100.0%
Kent	11 39.3%	6 21.4%	3 10.7%	6 21.4%	2 7.1%	28 100.0%
Sussex	21 14.6%	40 27.8%	0 0.0%	22 15.3%	61 42.4%	144 100.0%
State	103 24.5%	115 27.4%	7 1.7%	124 29.5%	71 16.9%	420 100.0%

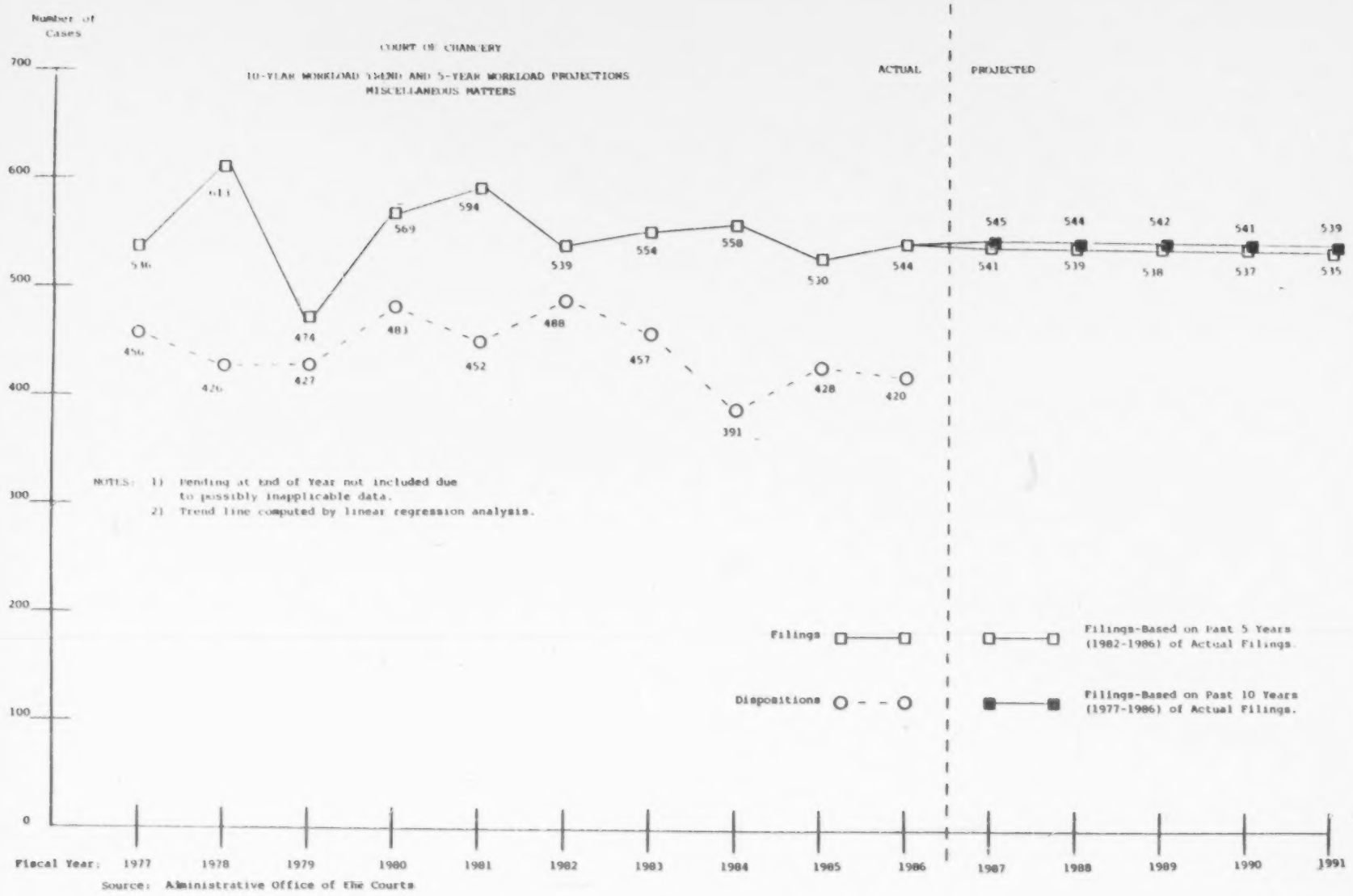
PENDING AT END OF YEAR

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	429 13.6%	876 27.7%	158 5.0%	1,299 41.1%	398 12.6%	3,160 100.0%
Kent	276 40.9%	220 32.6%	15 2.2%	140 20.7%	24 3.6%	675 100.0%
Sussex	305 24.7%	106 8.6%	16 1.3%	796 64.4%	13 1.1%	1,236 100.0%
State	1,010 19.9%	1,202 23.7%	189 3.7%	2,235 44.1%	435 8.6%	5,071 100.0%

CHANGE IN PENDING

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	+ 11	+ 33	+ 1	- 15	+ 14	+ 44
Kent	+ 8	+ 13	- 2	- 3	+ 6	+ 22
Sussex	+ 1	- 4	0	+ 64	- 3	+ 58
State	+ 20	+ 42	- 1	+ 46	+ 17	+124

Source: New Castle County, Kent County, and Sussex County Registers in Chancery



Source: Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1986
ESTATES
WORKLOAD SUMMARY

	Pending 6/30/85	Opened	Closed	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle	1,083	1,300	1,142	1,241	+158	+14.6%
Kent	1,020	327	222	1,125	+105	+10.3%
Sussex	628	453	445	636	+ 8	+ 1.3%
State	2,731	2,080	1,809	3,002	+271	+ 9.9%

COMPARISON - FISCAL YEARS 1985-1986
ESTATES
WORKLOAD

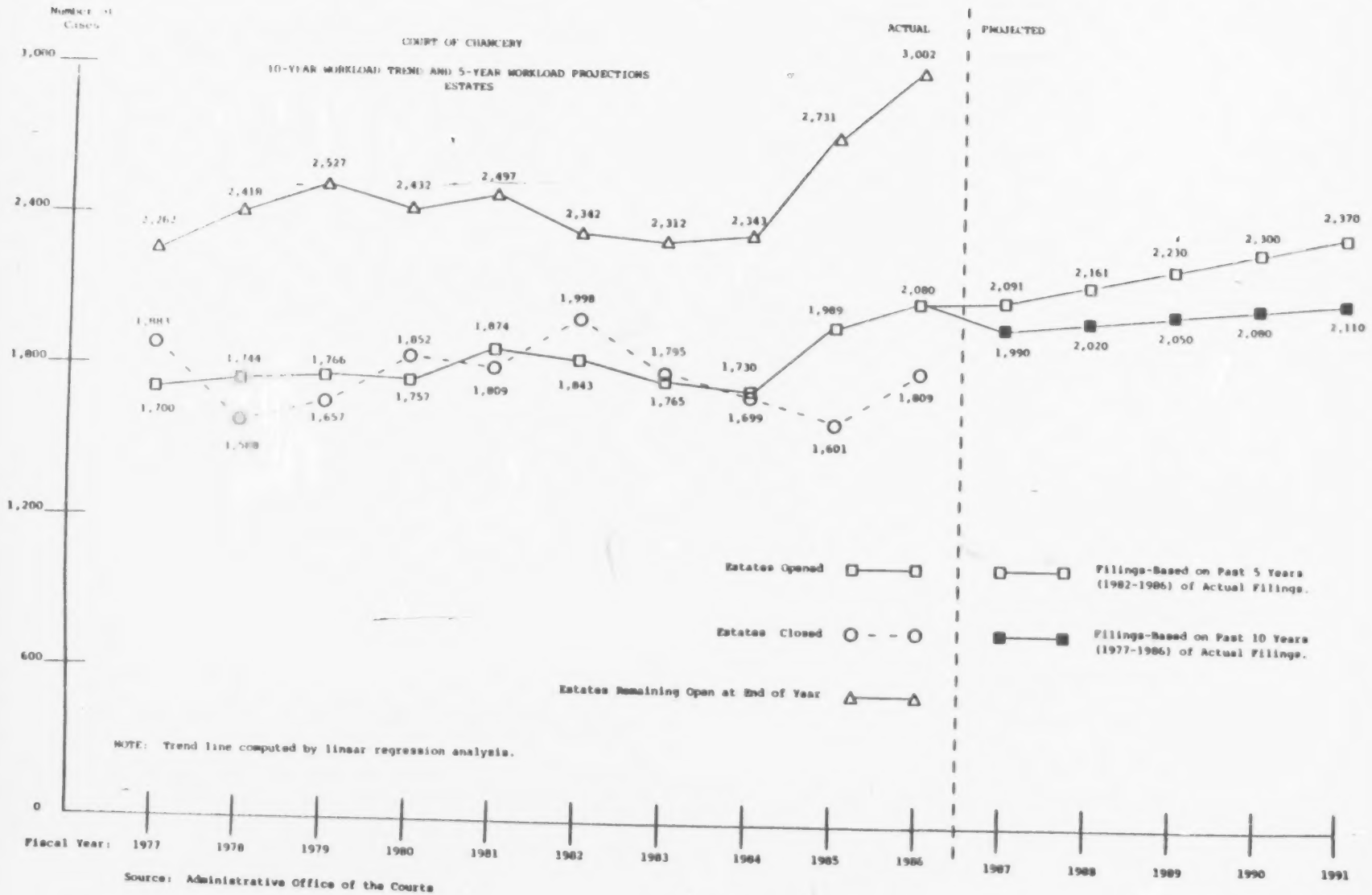
OPENED

	1985	1986	Change	% Change
New Castle	1,267	1,300	+ 33	+ 2.6%
Kent	290	327	+ 37	+12.8%
Sussex	432	453	+ 21	+ 4.9%
State	1,989	2,080	+ 91	+ 4.6%

CLOSED

	1985	1986	Change	% Change
New Castle	1,115	1,142	+ 27	+ 2.4%
Kent	154	222	+ 68	+44.2%
Sussex	332	445	+113	+34.0%
State	1,601	1,809	+208	+13.0%

Source: New Castle County, Kent County, and Sussex County Registers of Wills



Source: Administrative Office of the Courts

Public Guardian

PUBLIC GUARDIAN

Legal Authorization

The authority for the Office of the Public Guardian is derived from Title 12, §3991, of the Delaware Code, which states that:

"There is established the Office of the Public Guardian. The Chancellor shall appoint the Public Guardian, who shall serve at his pleasure..."

Geographic Organization

The Office of the Public Guardian has responsibility for the entire State and presents its petitions for guardianships in the Court of Chancery in all three counties.

Legal Jurisdiction

The powers and duties of the Public Guardian are stated in Title 12, §3992, of the Delaware Code:

"The Public Guardian, when appointed as guardian by Court order, shall:

1. Serve as a guardian for the property of aged, mentally infirm or physically incapacitated persons, pursuant to §3914 of this Title;

2. Serve as a guardian for the person of aged, mentally or physically incapacitated persons where such persons are in danger of substantially endangering their health, or of becoming subject to abuse by other persons, or of becoming the victim of designing persons; or

3. Serve as both guardian of the person and of property of such person."

The legislation creating the Office of the Public Guardian creates a guardianship capability for a person needing a guardian but who does not have a relative, friend, or other person interested in or capable of serving as a guardian, whose estate is insufficient to purchase the services of a private guardian, or who would best be served by a neutral guardian. This has resulted in the Office of the Public Guardian serving as consultant to agencies, attorneys, or families about guardianship matters.

Personnel

The Public Guardian is aided by a staff assistant, one full-time and two part-time caseworkers, and an accounting clerk.

Caseload

The Office of the Public Guardian received a total of 107 referrals during FY 1986 compared with 102 referrals in FY 1985. 16 of the referrals in FY 1986 were determined to need the services of the Public Guardian as a guardian and petitions were presented in the appropriate counties in these cases. The Public Guardian was responsible for 53 wards as of June 30, 1986, which was an increase from the 46 wards at the end of FY 1985.

The remaining 91 referrals were determined not to need guardianship to resolve their problems and were served by utilizing the resources of other state and private agencies to aid the client, involving the family of the client, helping the client take some voluntary action on his own behalf, or offering counseling to help the client solve his own problems.

PUBLIC GUARDIAN

New Castle County
11th Floor
Elbert N. Carvel Delaware State Bldg.
820 North French Street
Wilmington, DE 19801
(571-2990)

Kent County
James Williams State Service Center
805 River Road
Dover, DE 19901
(736-4072)

Sussex County
Laurel State Service Center
111 Mechanic Street
Laurel, DE 19956
(856-5223)

PERSONNEL

Public Guardian
Barbara F. Blevins

Staff Assistant
Barbara A. Walker

Caseworker
Patricia E. Gesler

Caseworker
Hugh Waters

Caseworker
Karen E. Bounds

Accounting Clerk
Marilyn Bergeron-Huard

PUBLIC GUARDIAN

FISCAL YEAR 1986
WORKLOAD SUMMARY

	Pending 6/30/85	New Referrals	Cases Closed	Pending 6/30/86	Change In Pending	% Change In Pending
Guardianships	46	16	9	53	+ 7	+ 15.2%
Investigations	6	91	90	7	+ 1	+ 16.7%
TOTALS	52	107	99	60	+ 8	+ 15.4%

COMPARISON - FISCAL YEARS 1985-1986
WORKLOAD

New Referrals

	1985	1986	Change	% Change
Guardianships	9	16	+ 7	+ 77.8%
Investigations	93	91	- 2	- 2.2%
TOTALS	102	107	+ 5	+ 4.9%

Cases Closed

	1985	1986	Change	% Change
Guardianships	13	9	- 4	- 30.8%
Investigations	98	90	- 8	- 8.2%
TOTALS	111	99	-12	- 10.8%

Source: Office of the Public Guardian

Superior Court

SUPERIOR COURT

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, created the Superior Court.

Geographic Organization

Sessions of Superior Court are held in each of the three counties at the county seat.

Legal Jurisdiction

Superior Court has statewide original jurisdiction over criminal and civil cases, except equity cases, over which the Court of Chancery has exclusive jurisdiction. The Court's authority to award damages is not subject to a monetary maximum. The Court hears cases of personal injury, libel and slander, and contract claims. The Court also tries cases involving medical malpractice, legal malpractice, property cases involving mortgage foreclosures, mechanics liens, condemnations, and appeals related to landlord-tenant disputes and appeals from the Automobile Arbitration Board. The Court has exclusive jurisdiction over felonies and drug offenses (except most felonies and drug offenses involving minors and except possession of marijuana cases).

Superior Court has jurisdiction over involuntary commitments of the mentally ill to the Delaware State Hospital. The Court serves as an intermediate appellate court, hearing appeals on the record from the Court of Common Pleas, Family Court, and more than 50 administrative agencies including the Industrial Accident Board, Unemployment Insurance Appeal Board, Alcohol Beverage Control Commission, Tax Appeal Board, Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Alderman's Courts, Justice of the Peace Courts, and Municipal Court are heard on trials de novo (second trials) in Superior Court. Appeals from Superior Court are argued on the record before the Supreme Court.

Judges

Number: There are thirteen judges appointed to the Superior Court bench. One judge is appointed President Judge with administrative responsibility for the Court, and three are appointed as Resident Judges and must reside in the county in which they are appointed. No more than a bare majority of the judges may be of one political party; the rest must be of the other major political party.

Appointment: The Governor appoints Superior Court Judges with the consent of the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: The judges must be learned in the law.

Support Personnel

Superior Court may appoint court reporters, law clerks, bailiffs, presentence officers, a secretary for each judge, and other personnel.

An elected Prothonotary for each county serves as Clerk of the Superior Court for that county. The Prothonotary is the record keeper for the Superior Court and is directly involved with the daily operations of the Court. The office handles the jury list, property liens, registration of law students and attorneys, and is the custodian of costs and fees for the courts and for the Attorney General. It issues permits to carry deadly weapons, receives bail, deals with the release of incarcerated prisoners, issues certificates of notary public where applicable, issues certificates of election to elected officials, issues commitments to the State Hospital and collects and distributes restitution monies as ordered by the Court in addition to numerous other duties. It is also charged with the security, care and custody of Courts' exhibits.

Elected sheriffs, one per county, also serve Superior Court.

Caseload Trend

There was a 4.9% increase in criminal filings from an amended total of 4,425 criminal filings in FY 1985 to 4,642 in FY 1986. Criminal dispositions increased very slightly from 4,142 in FY 1985 to 4,172 in FY 1986. The increase in filings while dispositions remained almost constant caused a 26.6% increase in criminal pending to 2,234 at the end of FY 1986 from an amended total of 1,764 criminal pending at the end of FY 1985. The rate of compliance with the 120 Day Speedy Trial Directive dropped from 67.3% statewide during FY 1985 to 56.2% in FY 1986. This was due in large part to the 48.7% rate of compliance in New Castle County during FY 1986.

Civil filings increased in each county during FY 1986 with civil filings statewide increasing by 8.6% from 3,745 in FY 1985 to 4,067 in FY 1986. Civil dispositions also rose in each county with the statewide total of civil dispositions increasing by 8.0% to 3,470 in FY 1986 from 3,213 in FY 1985. Civil pending rose by 12.2% from an amended total of 4,912 at the end of FY 1985 to 5,509 at the end of FY 1986.

The increase in both criminal and civil filings during FY 1986 led to an increase of 6.6% in total filings from an amended total of 8,170 filings in FY 1985 to 8,709 in FY 1986. Total dispositions rose by 3.9% from 7,355 during FY 1985 to 7,642 in FY 1986. Since more cases were filed than were disposed of, the total number of cases pending increased by 16.0% from an amended total of 6,676 pending at the end of FY 1985 to 7,743 total pending at the end of FY 1986.

NEW CASTLE COUNTY

President Judge
Hon. Albert J. Stiftel (D, 8/8/90)
Ann Lafferty, Secretary
(571-2355)

Resident Judge
Hon. Joshua W. Martin, III (R, 6/9/95)
Ann Wallace, Secretary
(571-2544)

Associate Judges
Hon. Robert C. O'Hara (R, 3/23/90)
Doris Myers, Secretary
(571-2370)
Hon. Vincent A. Bifferato (D, 8/5/92)
Betty Gilson, Secretary
(571-2361)
Hon. Vincent J. Poppiti (D, 6/10/95)
Mary Jane DeMatteis, Secretary
(571-2358)
Hon. Clarence W. Taylor (R, 7/1/96)
Barbara Rogers, Secretary
(571-2374)
Hon. Richard S. Gebelein (R, 9/14/96)
Patrice Wheeler, Secretary
(571-2369)
Hon. Bernard Balick (D, 9/30/97)
Ivone Marvel, Secretary
(571-2367)
Hon. John E. Babiarz, Jr. (D, 9/30/97)
Carol Edwards, Secretary
(571-2354)

KENT COUNTY

Resident Judge
Hon. William G. Bush, III (D, 9/13/96)
Eileen Masino, Secretary
(736-5333)

Associate Judge
Hon. Henry duPont Ridgely (R, 9/14/96)
Deborah Martin, Secretary
(736-5331)

SUSSEX COUNTY

Resident Judge
Hon. William B. Chandler, III (R, 6/30/9[illegible])
Mary Ellen Greenley, Secretary
(856-5257)

Associate Judge
Hon. William S. Lee (R, 6/30/98)
Karen J. Taylor, Secretary
(856-5256)

SUPERIOR COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Superior Court Public Building 1020 North King Street Wilmington, DE 19801	Superior Court Kent County Courthouse 38 The Green Dover, DE 19901	Superior Court Sussex County Courthouse The Circle Georgetown, DE 19947
Administrator Thomas J. Ralston S. Maureen Golden, Secretary (571-2380)		
Jury Manager Doris E. Harris (571-2380)		
Accountant Michael E. Indellini (571-2376)		
Arbitration Coordinator Felicia Ciuffetelli-Jones (571-2343)		
Case Scheduling Office Phyllis Laffey, Director (571-2409)	Joyce C. DuBour (736-5353)	Lisa D. Isaacs (856-5525)
Law Clerks Christopher R. Baum John R. Christie Karen M. Cunningham Richard A. DiLiberto Andrew S. Goldman Kevin G. Healy Peter O. Jamison, III Amy L. Sklut	Carole E. L. Davis Harold H. Hester	Kim Ayvazian
Jury Commissioners Alma C. Allen Robert S. Chapin	Wallace F. McFaul, Jr. John F. McDonald	Ralton H. Dennis Milan F. West

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Presentence Officers		
William G. Echols, Chief Barbara P. Holloway, Assistant Chief (571-2420)	Jesse L. Williams, Chief (736-5275)	Jana E. Mollahan, Chief (856-5549)
Court Reporters		
Morris D. Pearson, Chief (571-2390)	Debra S. Holt (736-5311)	Eileen G. Kimmel (856-5596)
Bailiffs		
John K. Truitt, Chief	William R. Staats, Chief	Sydney J. Hitchens, Chief

PROTHONOTARIES

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Prothonotary Public Building 1020 North King Street Wilmington, DE 19801 (571-2396, 571-7575)	Prothonotary Kent County Courthouse 38 The Green Dover, DE 19901 (736-5328)	Prothonotary Sussex County Courthouse The Circle Georgetown, DE 19947 (856-7701, X270)
Prothonotaries		
Deborah H. Capano	Emily G. Morris	Lynn W. Moore
Chief Deputies		
Elizabeth O. Richeson Sandra Autman	Mary Jane Cronk Phyllis Lints	Carol B. Thomas Faith Wilson
Deputies		
Sharon Agnew Barbara Hrinak Wilma McDowell Raymond Wilson		Shirley Washington

SUPERIOR COURT

SHERIFFS

NEW CASTLE COUNTY

Sheriff
Public Building
1020 North King Street
Wilmington, DE 19801
(571-7564, 571-7565)

Sheriffs
Michael P. Walsh

Chief Deputies
Loretta Forsythe-Walsh

Chief Deputy Sheriff
Edward F. Bonk, Sr.

KENT COUNTY

Sheriff
Kent County Courthouse
38 The Green
Dover, DE 19901
(736-2000, X212)

Carl M. Wright

SUSSEX COUNTY

Sheriff
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-7701, X240)

William L. Jones

Robert D. Snowden

SUPERIOR COURT

FISCAL YEAR 1986
CRIMINAL CASES
WORKLOAD SUMMARY

	Number of Defendants Pending 6/30/85	Filings	Dispositions	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle	1,322	3,532	3,142	1,712	+390	+29.5%
Kent	284	606	546	344	+ 60	+21.1%
Sussex	158*	504	484	178	+ 20	+12.7%
State	1,764*	4,642	4,172	2,234	+470	+26.6%

COMPARISON - FISCAL YEARS 1985-1986
WORKLOAD

FILINGS

	Number of Defendants 1985	1986	Change	% Change
New Castle	3,510	3,532	+ 22	+ 0.6%
Kent	494	606	+112	+22.7%
Sussex	421*	504	+ 83	+19.7%
State	4,425*	4,642	+217	+ 4.9%

DISPOSITIONS

	Number Of Defendants 1985	1986	Change	% Change
New Castle	3,218	3,142	- 76	- 2.4%
Kent	523	546	+ 23	+ 4.4%
Sussex	401	484	+ 83	+20.7%
State	4,142	4,172	+ 30	+ 0.7%

*Amended from 1985 Annual Report.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986
CRIMINAL CASES
WORKLOAD
EXPLANATORY NOTES

1. The unit of count in Superior Court criminal cases is the defendant. A defendant is defined as an individual named in an indictment, so that an individual named in 3 indictments is counted as 3 defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day is counted as one defendant.

2. Informations are filed if defendants waive indictment.

3. Transfers are defendants brought before the Court of Common Pleas in New Castle County who request jury trials. Since the Court of Common Pleas in Kent and Sussex Counties itself holds jury trials, there are no transfers in either of those counties.

4. Reinstatements represent defendants who have had their cases disposed of who are brought back before Superior Court for one of the following reasons:
   - Mistrial
   - Hung Jury
   - Motion for new trial granted
   - Guilty plea withdrawn
   - Lower court appeal reinstated after being dismissed
   - Conviction overturned by Supreme Court; remanded to Superior Court for new trial

5. Severances are defendants indicted on multiple charges whose charges are severed to be tried separately.

6. Trial dispositions refer to the number of defendants whose charges were disposed of at a trial rather than the number of trials. The date of disposition is the trial date. Should the decision be reserved, it will be the date when the opinion is handed down.

7. A defendant is counted as being disposed of by nolle prosequi only if all charges in an indictment or information or all charges transferred or appealed simultaneously are dropped. For example, if a defendant pleads guilty to one charge in an indictment, and other charges in the same indictment are then nol-prossed, that defendant is considered to have been disposed of by guilty plea on the date of the plea.

8. Defendants are not counted as disposed of by nol-pros if the nolle prosequi was filed to an original charge because the deferdant entered a guilty plea to a New Information. Since the New Information is a further action in an existing case and is not counted as a separate filing, so also the nol-pros is not the primary disposition.

9. Only noi-prosses filed for defendants who were actually brought before Superior Court by indictment, information, appeal, transfer, reinstatement, or severance are counted in the total number of Superior Court dispositions. Nolle prosequis of unindicted defendants are listed separately because such defendants were never formally before the Superior Court.

10. Unindicted nolle prosequis are felony or drug defendants who were arrested and were bound over to Superior Court by a lower court either because probable cause was found or because the defendant waived preliminary hearing. The Attorney General then decided not to seek indictment or the grand jury ignored the indictment and a nolle prosequi was filed.

11. Remands are defendants who appealed or transferred their cases to Superior Court and had them remanded back to the lower court. ADRR's are cases in which an appeal to Superior Court has been dismissed with the record being remanded to the court from which it came. ADRR's and remands do not constitute the dispositions of all appeals that are filed; some are disposed of by trial de novo, plea, or nolle prosequi.

12. A consolidation represents a single individual who is indicted separately on different charges but whose charges are consolidated to be tried together. Thus an individual indicted in January and again in February, and who is counted as two filings, will receive one trial disposition and one consolidation disposition if the charges are tried together.

13. Diversions are defendants who are charged with driving under the influence or select drug possession charges and are first-time offenders. The defendants choose to enroll in a rehabilitation program and waive their right to a speedy trial in the process. The charge is dropped once the defendant satisfactorily completes the program and pays all fees.

SUPERIOR COURT

FISCAL YEAR 1986
CRIMINAL CASES
WORKLOAD BREAKDOWNS

FILINGS

	Number of Defendants Brought to Superior Court By:												TOTALS	
	Indictment		Information		Appeal		Transfer		Reinstatement		Severance			
New Castle	2,873	81.3%	34	1.0%	127	3.6%	464	13.1%	26	0.7%	8	0.2%	3,532	100.0%
Kent	573	94.6%	24	4.0%	3	0.5%	0	0.0%	1	0.2%	5	0.8%	606	100.0%
Sussex	138	27.4%	348	69.0%	8	1.6%	0	0.0%	8	1.6%	2	0.4%	504	100.0%
State	3,584	77.2%	406	8.7%	138	3.0%	464	10.0%	35	0.8%	15	0.3%	4,642	100.0%

DISPOSITIONS

	Number of Defendants Disposed of By:														TOTALS	
	Trial		Guilty Plea		Nolle Prosequi		Dismissal		ADRR		Remand or Transfer		First Offender		Consolidation			
New Castle	301	9.6%	2,093	66.6%	637	20.3%	14	0.4%	25	0.8%	2	0.1%	68	2.2%	2	0.1%	3,142	100.0%
Kent	28	5.1%	450	82.4%	63	11.5%	1	0.2%	1	0.2%	1	0.2%	2	0.4%	0	0.0%	546	100.0%
Sussex	39	8.1%	339	70.0%	80	16.5%	2	0.4%	4	0.8%	9	1.9%	11	2.3%	0	0.0%	484	100.0%
State	368	8.8%	2,882	69.1%	780	18.7%	17	0.4%	30	0.7%	12	0.3%	81	1.9%	2	0.1%	4,172	100.0%

PENDING AT END OF YEAR

	Number of Defendants				TOTALS	
	Triable		Non-Triable			
New Castle	1,324	77.3%	388	22.7%	1,712	100.0%
Kent	92	26.7%	252	73.3%	344	100.0%
Sussex	102	57.3%	76	42.7%	178	100.0%
State	1,518	67.9%	716	32.1%	2,234	100.0%

CHANGE IN PENDING

	Number of Defendants		
	Triable	Non-Triable	TOTALS
New Castle	+371	+ 19	+390
Kent	+ 39	+ 21	+ 60
Sussex	+ 23	- 3	+ 20
State	+433	+ 37	+470

ADRR = Appeal Dismissed, Record Remanded

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986
CRIMINAL CASES
TYPES OF DISPOSITIONS

TRIAL DISPOSITIONS - PART ONE

	Number of Defendants Disposed of By:															
	Jury Trial		Non-Jury Trial		TOTALS		Guilty		Not Guilty*		No Final Dispositions**		TOTALS	
New Castle	284	94.4%	17	5.6%	301	100.0%	219	72.8%	54	17.9%	28	9.3%	301	100.0%
Kent	27	96.4%	1	3.6%	28	100.0%	23	82.1%	3	10.7%	2	7.1%	28	100.0%
Sussex	21	53.8%	18	46.2%	39	100.0%	27	69.2%	8	20.5%	4	10.3%	39	100.0%
State	332	90.2%	36	9.8%	368	100.0%	269	73.1%	65	17.7%	34	9.2%	368	100.0%

TRIAL DISPOSITIONS - PART TWO

Number of Defendants Disposed of By:

	Jury Trial							Non-Jury Trial						
	Guilty	Guilty LIO	Not Guilty	Nolle Prosequi At Trial	Dismissed At Trial	Mistrial	Hung Jury	Guilty	Guilty LIO	Not Guilty	Nolle Prosequi At Trial	Dismissed At Trial	Mistrial	TOTALS
New Castle	176	28	36	12	4	7	21	13	2	1	1	0	0	301
Kent	18	4	2	1	0	1	1	1	0	0	0	0	0	28
Sussex	10	2	4	1	0	4	0	12	3	3	0	0	0	39
State	204	34	42	14	4	12	22	26	5	4	1	0	0	368

LIO = Lesser Included Offense
*Includes Dismissals at Trial and Nolle Prosequis at Trial
**Hung Juries and Mistrials

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986
CRIMINAL CASES
TYPES OF DISPOSITIONS
GUILTY PLEA DISPOSITIONS

Felony

	PG-Original		PG-Lesser		PG-NI		PG-Information		TOTALS	
New Castle	596	70.6%	206	24.4%	18	2.1%	24	2.8%	844	100.0%
Kent	194	79.8%	41	16.9%	3	1.2%	5	2.1%	243	100.0%
Sussex	121	60.8%	39	19.6%	1	0.5%	38	19.1%	199	100.0%
State	911	70.8%	286	22.2%	22	1.7%	67	5.2%	1,286	100.0%

Misdemeanor

	PG-Original		PG-Lesser		PG-NI		PG-Information		TOTALS	
New Castle	205	16.4%	614	49.2%	85	6.8%	345	27.6%	1,249	100.0%
Kent	70	33.8%	117	56.5%	6	2.9%	14	6.8%	207	100.0%
Sussex	50	35.7%	79	56.4%	1	0.7%	10	7.1%	140	100.0%
State	325	20.4%	810	50.7%	92	5.8%	369	23.1%	1,596	100.0%

Guilty Plea Totals

	PG Original		PG-Lesser		PG-NI		PG-Information		TOTALS	
New Castle	801	38.3%	820	39.2%	103	4.9%	369	17.6%	2,093	100.0%
Kent	264	58.7%	158	35.1%	9	2.0%	19	4.2%	450	100.0%
Sussex	171	50.4%	118	34.8%	2	0.6%	48	14.2%	339	100.0%
State	1,236	42.9%	1,096	38.0%	114	4.0%	436	15.1%	2,882	100.0%

EXPLANATORY NOTES

1. Guilty plea dispositions do not include pleas made during trials. They are included in the trial disposition totals.
2. "PG-Original" includes defendants who pled guilty to all charges or to the major charge of a multi-count indictment, appeal, transfer, or reinstatement.
3. "PG-Lesser" includes defendants who pled guilty to a lesser included offense of the most serious charge, a less serious charge of a multi-count indictment or other filings, or a lesser included offense of a less serious charge of a multi-count indictment or other filing.
4. "PG-NI" indicates that a defendant pled guilty to a new information - always a less serious charge than the original one.
5. "PG-Information" denotes a defendant who waived indictment and pled guilty to an information filed by the Attorney General.
6. A plea of nolo contendere is considered to be the equivalent of a guilty plea; e.g., a plea of nolo contendere to a lesser included offense is counted with the PG-Lesser.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986
CRIMINAL CASES
TYPES OF DISPOSITIONS

NOLLE PROSEQUI DISPOSITIONS - PART ONE*

	Number of Defendants With Nolle Prosequis By Special Condition		Number of Defendants With Nolle Prosequis By Merit		Total Number of Defendants Disposed Of By Nolle Prosequi	
New Castle	309	48.5%	328	51.5%	637	100.0%
Kent	29	46.0%	34	54.0%	63	100.0%
Sussex	38	47.5%	42	52.5%	80	100.0%
State	376	48.2%	404	51.8%	780	100.0%

NOLLE PROSEQUI DISPOSITIONS - PART TWO*

	Number of Defendants with Nolle Prosequis by Special Condition									Number of Defendants With Nolle Prosequis by Merit									
	Guilty of Other Charges, Different Indictment	Disposed of in Other Court	Reindicted	Placed on AG's Probation	Made Restitution	Placed in Custody of Other Jurisdiction	Indicted on Other Charges	W/O Prejudice	Miscellaneous	Codefendant Guilty	Police Problems	Defense Valid	Prosecutive Merit	Victim/Witness Availability/ Deceased	Victim/Witness Attitude/ Credibility	Related to Indictment	Insufficient Evidence	Due Process	Miscellaneous	TOTALS
New Castle	26	36	78	44	9	2	6	0	108	10	6	5	110	49	48	19	74	3	4	637
Kent	3	3	6	6	8	0	1	2	0	2	0	0	21	0	0	0	10	0	1	63
Sussex	15	4	0	4	6	0	1	0	8	0	0	1	7	6	5	0	20	3	0	80
State	44	43	84	54	23	2	8	2	116	12	6	6	138	55	53	19	104	6	5	780

*Nolle Prosequis for indicted defendants only.
AG = Attorney General

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE
NEW CASTLE COUNTY

Offense	Number of Defendants Disposed of By: Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	First Offender	Consol.	TOTALS
Crimes of Violence									
Murder 1st	6- 0- 0	3	0	0	0	0	0	0	9
Murder 2nd	0- 0- 0	11	2	0	0	0	0	0	13
Manslaughter	0- 0- 0	1	0	0	0	0	0	0	1
Attempted Murder 1st	8- 0- 0	12	4	0	0	0	0	0	24
Assault 1st	3- 2- 0	39	13	0	0	0	0	0	57
Assault 2nd	7- 1- 3	55	21	1	0	0	0	0	88
Rape 1st	10- 1- 3	16	7	0	0	0	0	0	37
Rape 2nd	3- 0- 1	6	6	0	0	0	0	0	16
Sodomy 1st/2nd	1- 0- 0	6	1	0	0	0	0	0	8
Kidnapping 1st/2nd	1- 2- 0	16	2	0	0	0	0	0	21
Robbery 1st	11- 3- 1	51	40	2	0	0	0	0	108
Robbery 2nd	6- 1- 0	36	23	0	0	0	0	0	66
Drug Offenses									
Delivery	21- 2- 0	130	20	0	0	0	1	0	174
Possession w/Intent to Deliver	24- 5- 2	124	22	0	0	0	0	0	177
Possession NN Schedule I	0- 0- 0	7	6	0	0	0	20	0	33
Other Drug Offenses	1- 2- 0	82	27	0	0	0	19	0	131
Remaining Indicted Offenses									
All Forgery	3- 1- 0	152	20	1	0	0	0	0	177
Theft/RSP/Burglary	30- 9- 5	680	167	3	1	0	0	0	895
Weapons Offenses	10- 3- 0	147	51	0	0	0	0	0	211
Other	15- 3- 4	275	62	3	1	0	0	0	363
Appeals and Transfers									
DUI/CUI	31- 8- 6	122	12	1	15	0	28	0	223
Other Traffic Offenses	15- 2- 3	44	31	1	1	2	0	0	99
Non-Traffic Offenses	13- 9- 0	78	100	2	7	0	0	2	211
TOTALS	219-54-28	2,093	637	14	25	2	68	2	3,142

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guilty
NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty (includes Dismissals at Trial and Nolle Prosequis at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property
Consol. = Consolidation

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

KENT COUNTY

Offense	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand Transfer	First Offender	TOTALS
Crimes of Violence								
Murder 1st	2-0-0	2	0	0	0	0	0	4
Murder 2nd	0-0-0	0	0	0	0	0	0	0
Manslaughter	2-0-0	1	0	0	0	0	0	3
Attempted Murder 1st	0-0-0	3	0	0	0	0	0	3
Assault 1st	1-0-0	7	0	0	0	0	0	8
Assault 2nd	1-0-0	12	1	0	0	0	0	14
Rape 1st	1-1-0	2	1	0	0	1	0	6
Rape 2nd	1-0-0	3	2	0	0	0	0	6
Sodomy 1st/2nd	0-0-0	3	1	0	0	0	0	4
Kidnapping 1st/2nd	0-0-0	8	2	0	0	0	0	10
Robbery 1st	4-1-1	7	2	0	0	0	0	15
Robbery 2nd	0-0-0	9	1	0	0	0	0	10
Drug Offenses								
Delivery	4-0-0	19	4	0	0	0	0	27
Possession w/Intent to Deliver	0-0-1	14	1	0	0	0	0	16
Possession NN Schedule I	0-0-0	1	0	0	0	0	1	2
Other Drug Offenses	0-0-0	25	1	0	0	0	0	26
Remaining Indicted Offenses								
All Forgery	1-0-0	47	6	0	0	0	0	54
Theft/RSP/Burglary	3-0-0	172	19	1	0	0	0	195
Weapons Offenses	1-0-0	45	6	0	0	0	0	52
Other	0-1-0	68	15	0	0	0	0	84
Appeals and Transfers								
DUI/CUI	2-0-0	1	0	0	1	0	1	5
Other Traffic Offenses	0-0-0	0	1	0	0	0	0	1
Non-Traffic Offenses	0-0-0	1	0	0	0	0	0	1
TOTALS	23-3-2	450	63	1	1	1	2	546

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guilty
NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty - (Includes Dismissals at Trial and Nolle Prosequis at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

SUSSEX COUNTY

Offense	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	First Offender	TOTALS
Crimes of Violence								
Murder 1st	2- 0-0	2	1	0	0	0	0	5
Murder 2nd	0- 0-0	1	0	0	0	0	0	1
Manslaughter	0- 1-0	0	0	0	0	0	0	1
Attempted Murder 1st	0- 0-0	3	1	0	0	0	0	4
Assault 1st	0- 0-0	11	1	0	0	0	0	12
Assault 2nd	1- 0-0	18	4	0	0	0	0	23
Rape 1st	0- 0-1	3	1	0	0	4	0	9
Rape 2nd	1- 0-0	5	2	0	0	2	0	10
Sodomy 1st/2nd	0- 0-0	3	0	0	0	0	0	3
Kidnapping 1st/2nd	1- 0-0	2	1	0	0	0	0	4
Robbery 1st	1- 0-1	18	0	0	0	0	0	20
Robbery 2nd	1- 0-0	5	0	0	0	0	0	6
Drug Offenses								
Delivery	2- 1-0	8	2	1	0	0	0	14
Possession w/Intent to Deliver	2- 0-1	12	9	0	0	0	0	24
Possession NN Schedule I	0- 0-0	8	2	0	0	0	2	12
Other Drug Offenses	0- 0-0	5	1	0	0	0	1	7
Remaining Indicted Offenses								
All Forgery	0- 0-0	9	4	0	0	0	0	13
Theft/RSP/Burglary	7- 2-1	112	34	0	0	0	0	156
Weapons Offenses	2- 1-0	11	2	0	0	0	0	16
Other	5- 3-0	71	9	0	0	2	0	90
Appeals and Transfers								
DUI/CUI	0- 0-0	16	4	1	3	0	8	32
Other Traffic Offenses	1- 0-0	6	1	0	1	0	0	9
Non-Traffic Offenses	1- 0-0	10	1	0	0	1	0	13
TOTALS	27- 8-4	339	80	2	4	9	11	484

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guilty
NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty (Includes Dismissals at Trial and Nolle Prosequis at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

STATE

Offense	Number of Defendants Disposed of By: Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	First Offender	Consol.	TOTALS
Crimes of Violence									
Murder 1st	10- 0- 0	7	1	0	0	0	0	0	18
Murder 2nd	0- 0- 0	12	2	0	0	0	0	0	14
Manslaugher	2- 1- 0	2	0	0	0	0	0	0	5
Attempted Murder 1st	8- 0- 0	18	5	0	0	0	0	0	31
Assault 1st	4- 2- 0	57	14	0	0	0	0	0	77
Assault 2nd	9- 1- 3	85	26	1	0	0	0	0	125
Rape 1st	11- 2- 4	21	9	0	0	5	0	0	52
Rape 2nd	5- 0- 1	14	10	0	0	2	0	0	32
Sodomy 1st/2nd	1- 0- 0	12	2	0	0	0	0	0	15
Kidnapping 1st/2nd	2- 2- 0	26	5	0	0	0	0	0	35
Robbery 1st	16- 4- 3	76	42	2	0	0	0	0	143
Robbery 2nd	7- 1- 0	50	24	0	0	0	0	0	82
Drug Offenses									
Delivery	27- 3- 0	157	26	1	0	0	1	0	215
Possession w/Intent to Deliver	26- 5- 4	150	32	0	0	0	0	0	217
Possession NN Schedule I	0- 0- 0	16	8	0	0	0	23	0	47
Other Drug Offenses	1- 2- 0	112	29	0	0	0	20	0	164
Remaining Indicted Offenses									
All Forgery	4- 1- 0	208	30	1	0	0	0	0	244
Theft/RSP/Burglary	40-11- 6	964	220	4	1	0	0	0	1,246
Weapons Offenses	13- 4- 0	203	59	0	0	0	0	0	279
Other	20- 7- 4	414	86	3	1	2	0	0	537
Appeals and Transfers									
DUI/CUI	33- 8- 6	139	16	2	19	0	37	0	260
Other Traffic Offenses	16- 2- 3	50	33	1	2	2	0	0	109
Non-Traffic Offenses	14- 9- 0	89	101	2	7	1	0	2	225
TOTALS	269-65-34	2,882	780	17	30	12	81	2	4,172

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guity
NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty (includes Dismissals at Trial and Nolle Prosequis at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property
Consol. = Consolidation

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986
CRIMINAL CASES

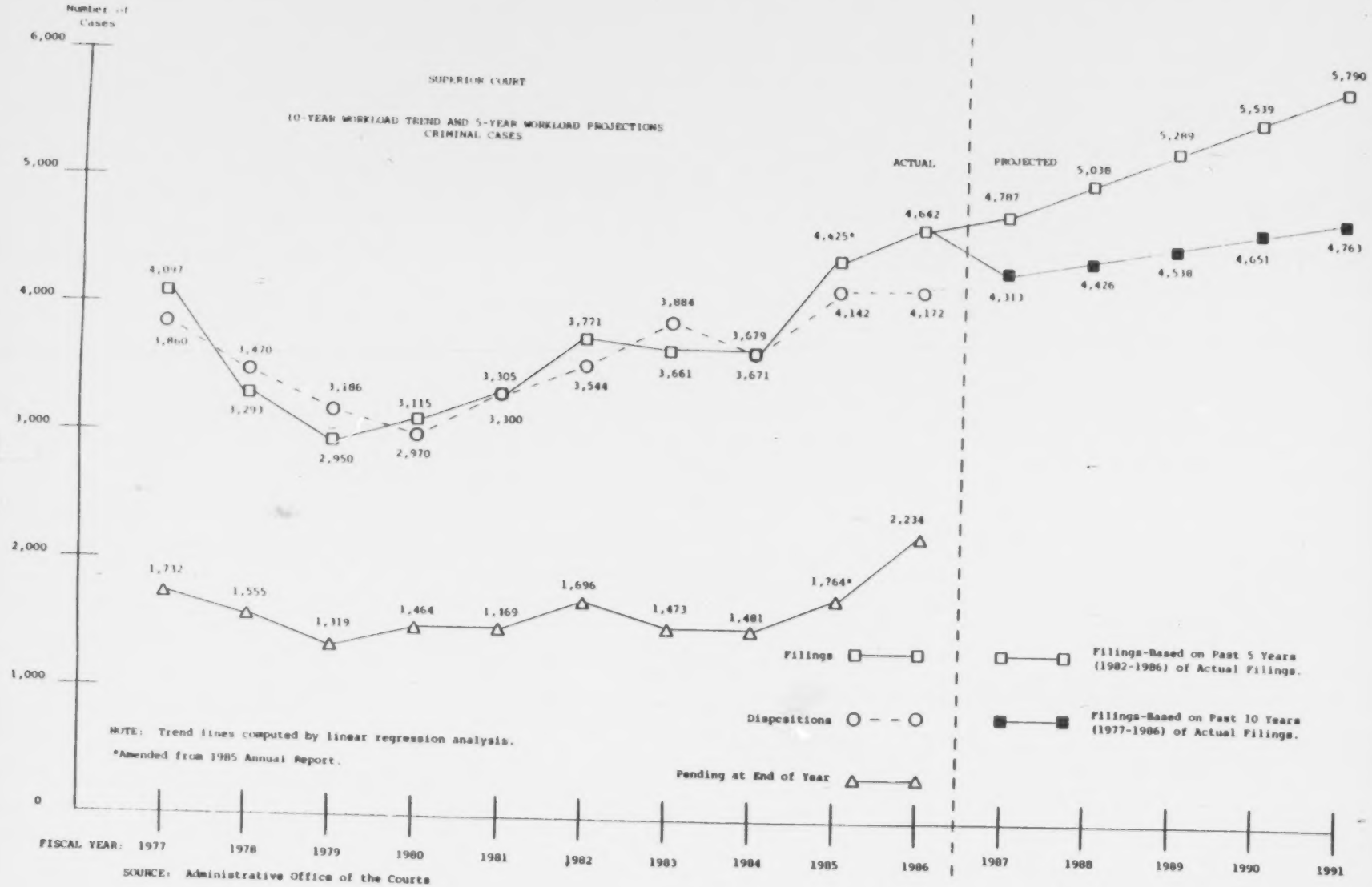
CRIMINAL TRIALS

	Number of Jury Trials		Number of Non-Jury Trials		Total Number of Trials		Days In Trial	Average Length Per Trial
New Castle	255	95.5%	12	4.5%	267	100.0%	552.0	2.07 days
Kent	28	96.6%	1	3.4%	29	100.0%	78.0	2.69
Sussex	21	53.8%	18	46.2%	39	100.0%	63.5	1.63
State	304	90.7%	31	9.3%	335	100.0%	693.5	2.07 days

CRIMINAL TRIAL CALENDAR ACTIVITY

	Total Number Of Defendants Scheduled	Number of Defendants Rescheduled	Percentage of Defendants Rescheduled	Rescheduled At Defense Request		Rescheduled At Prosecution Request		Rescheduled At Mutual Request		Rescheduled At Court Request	
New Castle	3,480	1,542	44.3%	690	44.8%	489	31.7%	247	16.0%	116	7.5%
Kent	587	346	58.9%	189	54.6%	77	22.3%	53	15.3%	27	7.8%
Sussex	497	210	42.3%	120	57.1%	31	14.8%	34	16.2%	25	11.9%
State	4,564	2,098	46.0%	999	47.6%	597	28.5%	334	15.9%	168	8.0%

Source: Superior Court Case Scheduling Office



SOURCE: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1986
CRIMINAL CASES
PERFORMANCE SUMMARY

	Total Number of Defendants Disposed of	Average Time from Arrest to Disposition	Median Time from Arrest to Disposition*	Average Time from Indictment/Information to Disposition#	Median Time from Indictment/Information to Disposition*#
New Castle	3,142	141.8 days	121.9 days	113.8 days	93.8 days
Kent	546	77.5 days	61.0 days	48.9 days	22.1 days
Sussex	484	103.0 days	85.4 days	73.1 days	58.6 days
State	4,172	128.9 days	109.7 days	100.6 days	80.3 days

COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

	Number of Defendants Disposed of Within 120 Days of Arrest		Number of Defendants Disposed of 121 Days or More After Arrest		Total Number of Defendants Disposed of	
New Castle	1,530	48.7%	1,612	51.3%	3,142	100.0%
Kent	470	86.1%	76	13.9%	546	100.0%
Sussex	343	70.9%	141	29.1%	484	100.0%
State	2,343	56.2%	1,829	43.8%	4,172	100.0%

*Calculated using grouped medians method.
#Includes only defendants brought to Superior Court by indictment or information.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986
CRIMINAL CASES
PERFORMANCE
EXPLANATORY NOTES

1. The Speedy Trial Directive of Chief Justice Daniel L. Herrmann states that all criminal defendants brought before Superior Court should be tried within 120 days of arrest.

2. The charts measure the average and median time intervals between arrest and disposition, and the average and median time intervals between indictment/information and disposition. Subtracting the figures for indictment/information to disposition from the figures for arrest to disposition would not determine the time from arrest to indictment/information exactly. This is because there may be a different number of cases being counted in the different categories (i.e., unindicted nolle prosequis).

3. In measuring the elapsed time of defendants for the purposes of computing compliance with speedy trial directives or average elapsed time, Superior Court excludes the following time intervals:

   a. For all capiases, the time between the date the capias is issued and the date the capias is executed.

   b. For all Rule 9 Summonses and Rule 9 Warrants, the time between arrest and indictment/information, if any.

   c. For all nolle prosequis, the time between the scheduled trial date and the actual filing date of the nolle prosequi.

SUPERIOR COURT

FISCAL YEAR 1986
PRESENTENCE OFFICE
WORKLOAD SUMMARY

	Pending* 6/30/85	Investigations Ordered	Investigations** Completed	Pending* 6/30/86	Change In Pending	% Change In Pending
New Castle	367	1,251	1,384	234	-133	- 36.2%
Kent***	56	304	327	33	- 23	- 41.1%
Sussex***	39	257	184	112	+ 73	+187.2%
State	462	1,812	1,895	379	- 83	- 18.0%

COMPARISON - FISCAL YEARS 1985-1986
PRESENTENCE OFFICE
WORKLOAD

INVESTIGATIONS ORDERED

	1985	1986	Change	% Change
New Castle	1,510	1,251	-259	-17.2%
Kent***	308	304	- 4	- 1.3%
Sussex***	220	257	+ 37	+16.8%
State	2,038	1,812	-226	-11.1%

INVESTIGATIONS COMPLETED**

	1985	1986	Change	% Change
New Castle	1,559	1,384	- 175	-11.2%
Kent***	363	327	- 36	- 9.9%
Sussex***	224	184	- 40	-17.9%
State	2,146	1,895	- 251	-11.7%

*A pending investigation is one which has been ordered but has not yet been been written and typed or otherwise closed (i.e. deceased defendant, motion for new trial granted, etc.).

**An investigation is completed when it has been both written and typed or has been otherwise closed (i.e. deceased defendant, motion for new trial granted, etc.).

***The Kent County and Sussex County Presentence Offices do investigations for both Superior Court and Court of Common Pleas. These figures reflect Superior Court investigations.

Source: Superior Court Presentence Offices: New Castle, Kent and Sussex Counties.

SUPERIOR COURT

FISCAL YEAR 1986
PRESENTENCE OFFICE

PERFORMANCE SUMMARY

	Number of Defendants Sentenced After Presentence Investigations	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced*
New Castle	1,517	50.0 days	8.1 days	58.0 days	60.9 days	119.0 days
Kent	328	49.3	3.6	52.9	40.2	93.0
Sussex	188	86.8	2.4	89.2	30.3	119.5
State	2,033	53.3 days	6.8 days	60.1 days	54.8 days	114.8 days

COMPLIANCE WITH 30-DAY STANDARD**

	Number of Investigations Completed Within 30 Days of Verdict		Number of Investigations Completed 31 Days or More After Verdict		Total Number of Investigations Completed	
New Castle	204	14.7%	1,180	85.3%	1,384	100.0%
Kent	177	54.1%	150	45.9%	327	100.0%
Sussex	12	6.5%	172	93.5%	184	100.0%
State	393	20.7%	1,502	79.3%	1,895	100.0%

*These figures are gross elapsed time from the date the presentence investigation was ordered to the defendant's sentencing date. If all the time the sentencings were delayed due to capiases, continuances, and motions was subtracted from these figures, the net average elapsed times for presentence investigations from the date ordered to the date sentenced would be as follows:

New Castle	97.1 days
Kent	84.1 days
Sussex	Not Available
State	Not Available

**The Speedy Trial Directive of Chief Justice Daniel L. Herrmann includes a standard that the time from the Court's verdict to the completion of the presentence investigation should not exceed 30 days. A presentence investigation is considered to be completed once it has been written and typed or otherwise closed (i.e., motion granted, defendant deceased, etc.).

Source: New Castle County, Kent County, and Sussex County Presentence Offices;
Administrative Office of the Courts

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1985-1986
PRESENTENCE OFFICE
PERFORMANCE

NEW CASTLE COUNTY	1985	1986	Change	% Change
# of Defendants Sentenced After Presentence Investigations	1,393	1,517	+124	+ 8.9%
Average Time From Date Ordered to Date Written	72.1 days	50.0 days	- 22.1 days	- 30.7%
Average Time From Date Written to Date Typed	9.3 days	8.1 days	- 1.2 days	- 12.9%
Average Time From Date Ordered to Date Typed	81.4 days	58.0 days	- 23.4 days	- 28.7%
Average Time From Date Typed to Date Sentenced	71.5 days	60.9 days	- 10.6 days	- 14.8%
Average Time From Date Ordered to Date Sentenced	152.9 days	119.0 days	- 33.9 days	- 22.2%

KENT COUNTY*	1985	1986	Change	% Change
# of Defendants Sentenced After Presentence Investigations	349	328	- 21	- 6.0%
Average Time From Date Ordered to Date Written	104.0 days	49.3 days	- 54.7 days	- 52.6%
Average Time From Date Written to Date Typed	4.0 days	3.6 days	- 0.4 days	- 10.0%
Average Time From Date Ordered to Date Typed	108.0 days	52.9 days	- 55.1 days	- 51.0%
Average Time From Date Typed to Date Sentenced	31.8 days	40.2 days	+ 8.4 days	+ 26.4%
Average Time From Date Ordered to Date Sentenced	139.9 days	93.0 days	- 46.9 days	- 33.5%

SUSSEX COUNTY*	1985	1986	Change	% Change
# of Defendants Sentenced After Presentence Investigations	227	188	- 39	- 17.2%
Average Time From Date Ordered to Date Written	65.8 days	86.8 days	+ 21.0 days	+ 31.9%
Average Time From Date Written to Date Typed	3.8 days	2.4 days	- 1.4 days	- 36.8%
Average Time From Date Ordered to Date Typed	69.6 days	89.2 days	+ 19.6 days	+ 28.2%
Average Time From Date Typed to Date Sentenced	37.4 days	30.3 days	- 7.1 days	- 19.0%
Average Time From Date Ordered to Date Sentenced	107.0 days	119.5 days	+ 12.5 days	+ 11.7%

STATE*	1985	1986	Change	% Change
# of Defendants Sentenced After Presentence Investigations	1,969	2,033	+ 64	+ 3.3%
Average Time From Date Ordered to Date Written	77.1 days	53.3 days	- 23.8 days	- 30.9%
Average Time From Date Written to Date Typed	7.7 days	6.8 days	- 0.9 days	- 11.7%
Average Time From Date Ordered to Date Typed	84.8 days	60.1 days	- 24.7 days	- 29.1%
Average Time From Date Typed to Date Sentenced	60.5 days	54.8 days	- 5.7 days	- 9.4%
Average Time From Date Ordered to Date Sentenced	145.3 days	114.8 days	- 30.5 days	- 21.0%

*Kent County and Sussex County Presentence Offices also do investigations for the Court of Common Pleas. These figures are for Superior Court only.

Source: New Castle County, Kent County, and Sussex County Presentence Offices; Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1986
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/85	Filings	Dispositions	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle	3,475	3,154	2,686	3,943	+468	+13.5%
Kent	1,082*	455	396	1,141	+ 59	+ 5.5%
Sussex	355	458	388	425	+ 70	+19.7%
State	4,912*	4,067	3,470	5,509	+597	+12.2%

COMPARISON - FISCAL YEARS 1985-1986
CIVIL CASES
WORKLOAD

FILINGS

	1985	1986	Change	% Change
New Castle	2,888	3,154	+266	+ 9.2%
Kent	439	455	+ 16	+ 3.6%
Sussex	418	458	+ 40	+ 9.6%
State	3,745	4,067	+322	+ 8.6%

DISPOSITIONS

	1985	1986	Change	% Change
New Castle	2,603	2,686	+ 83	+ 3.2%
Kent	298	396	+ 98	+32.9%
Sussex	312	388	+ 76	+24.4%
State	3,213	3,470	+257	+ 8.0%

Source: New Castle County, Kent County, and Sussex County Prothonotaries

SUPERIOR COURT

FISCAL YEAR 1986
CIVIL CASES
EXPLANATORY NOTES

1. Complaints are suits for damages. During FY 1986, activity in the Complaints category included Complaints for Damages, Condemnations, Ejectments, Appeals from Justice of the Peace Court, Declaratory Judgments, Foreign Judgments, Replevins, Foreign Attachments, Domestic Attachments, Interpleaders, Amicable Actions, Breach of Contract, Transfers and Removals from the Court of Chancery, and Transfers and Removals from the Court of Common Pleas.

2. Mechanic's Leins and Mortgages are property suits.

3. Involuntary Commitments are proceedings held to determine whether individuals shall be involuntarily committed as mentally ill. Because Delaware State Hospital, the State's facility for mentally ill patients, is located in New Castle County, almost all Involuntary Commitment hearings are held in New Castle County.

4. Appeals are appeals on the record. This category includes Appeals from Administrative Agencies, Appeals from Family Court, Appeals from the Court of Common Pleas, and Certioraris.

5. Miscellaneous includes all other cases. During FY 1986 this category included Complaints Requesting Order, Habeus Corpus, Mandamus, Writs of Prohibition, Petitions for Destruction of Indicia of Arrest, Petitions to Compel Satisfaction of Judgment, Petitions to Extend Judgment, Petitions for Bail Forfeitures, Petitions to Satisfy Mortgage, Petitions to Set Aside Mortgage, Petitions to set aside a Sheriff's Sale, Petitions for Writ of Quo Warranto, Petitions for Issuance of Subpoena, Petitions for Appointment of Attorney, Out of State Depositions, Petitions to Sell Real Estate for Property Taxes, Petitions to Strike a Satisfied Mortgage, Petitions for Return of Property, Petitions to Vacate Public Road, Tax Ditches, Rules to Show Cause, Road Resolutions, Cease and Desist Orders, and Motions for Habitual Offenders.

SUPERIOR COURT

FISCAL YEAR 1986
CIVIL CASES
WORKLOAD BREAKDOWNS

FILINGS

	Complaints	Mechanic's Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	1,875 59.4%	359 11.4%	219 6.9%	387 12.3%	314 10.0%	3,154 100.0%
Kent	273 60.0%	75 16.5%	34 7.5%	1 0.2%	72 15.8%	455 100.0%
Sussex	243 53.1%	125 27.3%	41 9.0%	0 0.0%	49 10.7%	458 100.0%
State	2,391 58.8%	559 13.7%	294 7.2%	388 9.5%	435 10.7%	4,067 100.0%

DISPOSITIONS

	Complaints	Mechanic's Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	1,409 52.5%	346 12.9%	222 8.3%	393 14.6%	316 11.8%	2,686 100.0%
Kent	301 76.0%	53 13.4%	10 2.5%	1 0.3%	31 7.8%	396 100.0%
Sussex	233 60.1%	79 20.4%	34 8.8%	0 0.0%	42 10.8%	388 100.0%
State	1,943 56.0%	478 13.8%	266 7.7%	394 11.4%	389 11.2%	3,470 100.0%

PENDING AT END OF YEAR

	Complaints	Mechanic's Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	3,194 81.0%	269 6.8%	280 7.1%	77 2.0%	123 3.1%	3,943 100.0%
Kent	468 41.0%	223 19.5%	177 15.5%	0 0.0%	273 23.9%	1,141 100.0%
Sussex	289 68.0%	75 17.6%	45 10.6%	0 0.0%	16 3.8%	425 100.0%
State	3,951 71.7%	567 10.3%	502 9.1%	77 1.4%	412 7.5%	5,509 100.0%

CHANGE IN PENDING*

	Complaints	Mechanic's Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	+466	+13	- 3	- 6	- 2	+468
Kent*	- 28	+22	+24	0	+41	+ 59
Sussex*	+ 10	+46	+ 7	0	+ 7	+ 70
State*	+448	+81	+28	- 6	+46	+597

*Change in pending from amended pending for the end of FY 1985.

Source: New Castle County, Kent County, and Sussex County Prothonotaries Offices

SUPERIOR COURT

FISCAL YEAR 1986
CIVIL CASES
TYPES OF DISPOSITIONS

COMPLAINTS DISPOSITIONS*

	Trial Dispositions		Non-Trial Dispositions*						
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	Other	TOTALS
New Castle	44 3.1%	24 1.7%	50 3.5%	111 7.9%	52 3.7%	1,014 72.0%	108 7.7%	6 0.4%	1,409 100.0%
Kent	6 2.0%	4 1.3%	11 3.7%	7 2.3%	0 0.0%	159 52.8%	114 37.9%	0 0.0%	301 100.0%
Sussex	11 4.7%	2 0.9%	40 17.2%	5 2.1%	12 5.2%	127 54.5%	33 14.2%	3 1.3%	233 100.0%
State	61 3.1%	30 1.5%	101 5.2%	123 6.3%	64 3.3%	1,300 66.9%	255 13.1%	9 0.5%	1,943 100.0%

MECHANIC'S LIENS AND MORTGAGES DISPOSITIONS*

	Trial Dispositions		Non-Trial Dispositions*						
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	Other	TOTALS
New Castle	0 0.0%	1 0.3%	146 42.2%	23 6.6%	5 1.4%	148 42.8%	21 6.1%	2 0.6%	346 100.0%
Kent	0 0.0%	0 0.0%	30 56.6%	3 5.7%	0 0.0%	19 35.8%	1 1.9%	0 0.0%	53 100.0%
Sussex	1 1.3%	0 0.0%	43 54.4%	3 3.8%	0 0.0%	28 35.4%	4 5.1%	0 0.0%	79 100.0%
State	1 0.2%	1 0.2%	219 45.8%	29 6.1%	5 1.0%	195 40.8%	26 5.4%	2 0.4%	478 100.0%

*Includes cases assigned for arbitration that are disposed of for Superior Court.

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1986
CIVIL CASES
TYPES OF DISPOSITIONS

INVOLUNTARY COMMITMENTS DISPOSITIONS*

	Dismissed-Voluntary Commitment	Dismissed-No Probable Cause	Dismissed-Released By Hospital	Dismissed-Defendant Deceased	TOTAL
New Castle	307 77.9%	0 0.0%	86 21.8%	1 0.3%	394 100.0%

APPEALS DISPOSITIONS

	Affirmed	Reversed	Affirmed Part/ Reversed Part	Voluntarily Dismissed	Dismissed By Court	Remanded	TOTALS
New Castle	80 36.0%	18 8.1%	9 4.1%	43 19.4%	35 15.8%	37 16.7%	222 100.0%
Kent	1 10.0%	0 0.0%	0 0.0%	9 90.0%	0 0.0%	0 0.0%	10 100.0%
Sussex	12 35.3%	1 2.9%	1 2.9%	14 41.2%	4 11.8%	2 5.9%	34 100.0%
State	93 35.0%	19 7.1%	10 3.8%	66 24.8%	39 14.7%	39 14.7%	266 100.0%

MISCELLANEOUS DISPOSITIONS

	Signed/Granted	Denied/Dismissed	Disposition Simultaneous With Filing	TOTALS
New Castle	245 77.5%	54 17.1%	17 5.4%	316 100.0%
Kent	25 80.6%	5 16.1%	1 3.2%	31 100.0%
Sussex	30 71.4%	9 21.4%	3 7.1%	42 100.0%
State	300 77.1%	68 17.5%	21 5.4%	389 100.0%

*Includes 1 Involuntary Commitment in Kent County which was dismissed due to a voluntary commitment.

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1986
CIVIL CASES

CIVIL TRIALS

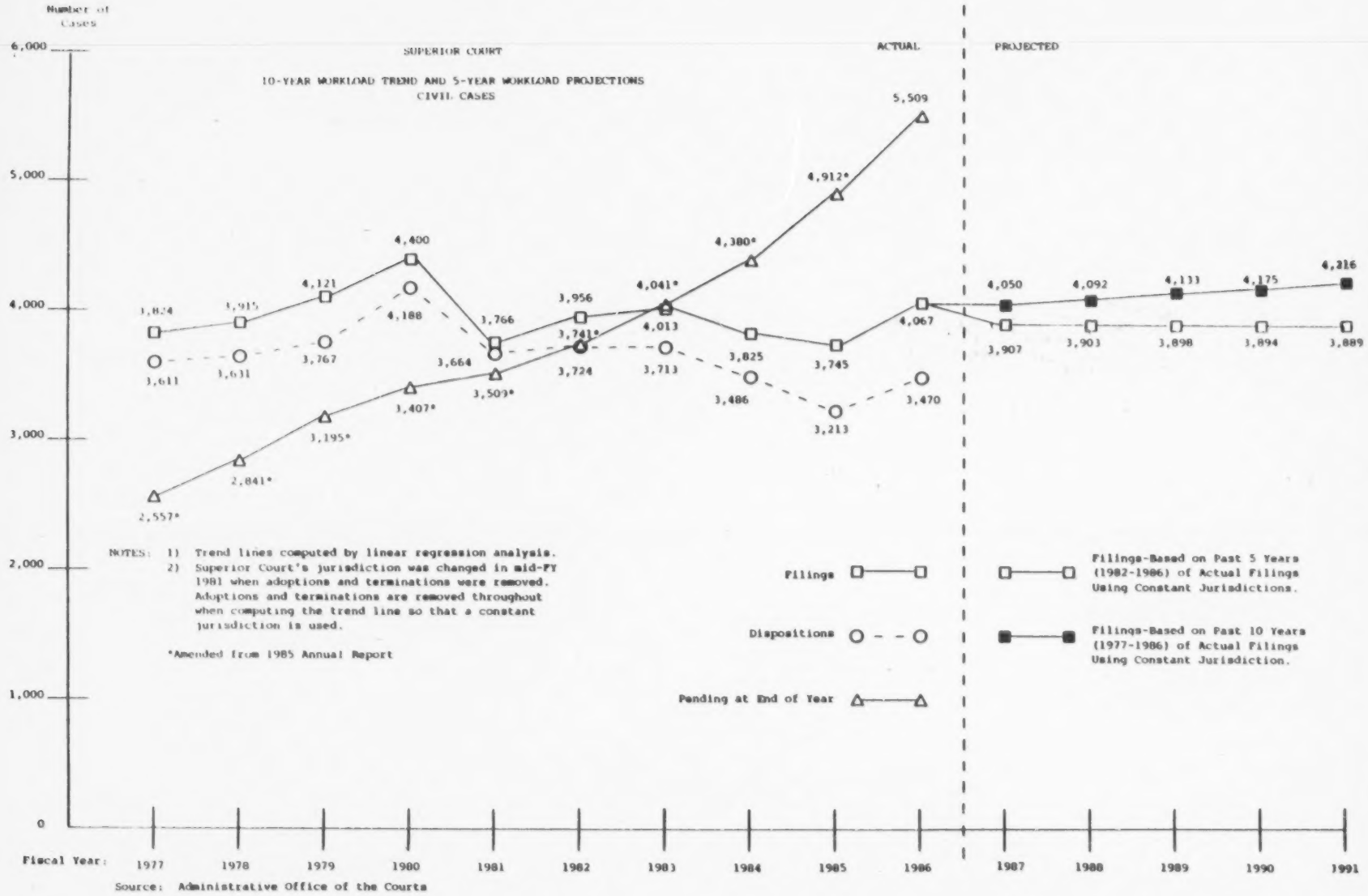
	No. of Jury Trials	No. of Non-Jury Trials	Total No. of Trials
New Castle	58 69.9%	25 30.1%	83 100.0%
Kent	11 91.7%	1 8.3%	12 100.0%
Sussex	7 58.3%	5 41.7%	12 100.0%
State	76 71.0%	31 29.0%	107 100.0%

CIVIL CALENDAR ACTIVITY

	Cases Tried	Cases Settled or Dismissed	Cases Continued for Settlement	Cases Continued Due to Lack of Judge	Cases Continued at Request of Attorney	Total Cases Scheduled
New Castle	83 14.2%	245 41.8%	5 0.9%	26 4.4%	227 38.7%	586 100.0%
Kent	12 17.4%	21 30.4%	3 4.3%	0 0.0%	33 47.8%	69 100.0%
Sussex	12 19.7%	23 37.7%	0 0.0%	4 6.5%	22 36.1%	61 100.0%
State	107 14.9%	289 40.4%	8 1.1%	30 4.2%	282 39.4%	716 100.0%

No. = Number

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices



Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1986
CIVIL CASES
PERFORMANCE SUMMARY

	Complaints		Mechanic's Liens and Mortgages	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	1,409	604.6 days	346	276.9 days
Kent	301	864.9 days	53	192.9 days
Sussex	233	497.7 days	79	267.9 days
State	1,943	632.1 days	478	266.1 days

	Appeals		Involuntary Commitments		Miscellaneous	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	222	338.5 days	393	51.0 days	316	60.8 days
Kent	10	283.4 days	1	15.0 days	31	39.2 days
Sussex	34	349.0 days	0	-	42	133.2 days
State	266	337.8 days	394	50.9 days	389	67.0 days

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices;
Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1986
CIVIL CASES
PERFORMANCE BREAKDOWNS

COMPLAINTS - METHOD

METHOD OF DISPOSITION

Number of Cases Disposed of by:

	Trial		Arbitrator's Order		Default Judgment		Voluntary Dismissal		Other		TOTAL	
New Castle	68	4.8%	102	7.2%	50	3.5%	1,014	72.0%	175	12.4%	1,409	100.0%
Kent	10	3.3%	Not Available		11	3.7%	159	52.8%	121	40.2%	301	100.0%
Sussex	13	5.6%	Not Available		40	17.2%	127	54.5%	53	22.7%	233	100.0%
State	91	4.7%	102*	5.2%	101	5.2%	1,300	66.9%	349	18.0%	1,943	100.0%

COMPLAINTS-ELAPSED TIME

AVERAGE TIME FROM FILING TO DISPOSITION

Cases Disposed of by:

	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other	TOTAL
New Castle	1,097.7 days	229.4 days	159.1 days	550.8 days	1,070.8 days	604.6 days
Kent	828.8 days	Not Available	96.5 days	616.3 days	1,262.1 days	864.9 days
Sussex	504.8 days	Not Available	48.4 days	478.8 days	880.5 days	497.7 days
State	983.5 days	229.4 days*	108.4 days	551.7 days	1,140.0 days	632.1 days

*New Castle County only.

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices.
Administrative Office of the Courts.

SUPERIOR COURT

FISCAL YEAR 1986
CIVIL CASES
PERFORMANCE BREAKDOWNS

MECHANIC'S LIENS AND MORTGAGES - METHOD

METHOD OF DISPOSITION

Number of Cases Disposed of by:

	Trial		Arbitrator's Order		Default Judgment		Voluntary Dismissal		Other		TOTAL	
New Castle	1	0.3%	9	2.6%	146	42.2%	148	42.8%	42	12.1%	346	100.0%
Kent	0	0.0%	Not Available		30	56.6%	19	35.8%	4	7.5%	53	100.0%
Sussex	1	1.3%	Not Available		43	54.4%	28	35.4%	7	8.9%	79	100.0%
State	2	0.4%	9*	1.9%	219	45.8%	195	40.8%	53	11.1%	478	100.0%

MECHANIC'S LIENS AND MORTGAGES - ELAPSED TIME

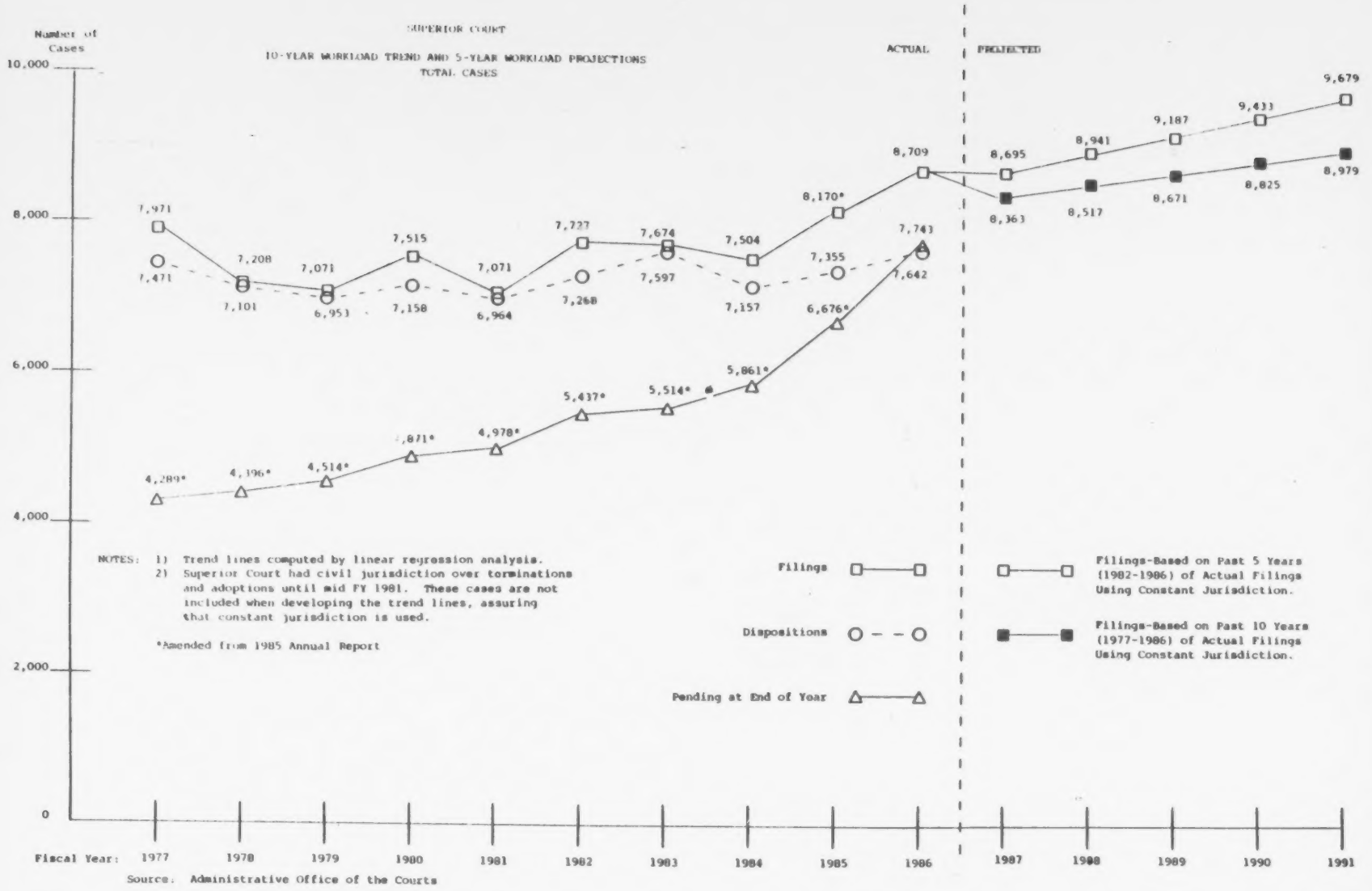
AVERAGE TIME FROM FILING TO DISPOSITION

Cases Disposed of by:

	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other	TOTAL
New Castle	820.0 days	167.8 days	92.0 days	324.7 days	762.0 days	276.9 days
Kent	-	Not Available	90.1 days	353.1 days	203.5 days	192.9 days
Sussex	827.0 days	Not Available	92.9 days	304.3 days	1,117.9 days	267.9 days
State	823.5 days	167.8 days*	91.9 days	324.5 days	766.9 days	266.1 days

*New Castle County only.

Source: New Castle County, Kent County and Sussex County Prothonotaries' Offices, Administrative Office of the Courts.



Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1986
ARBITRATION
EXPLANATORY NOTES

1. Arbitration is compulsory for civil cases in which:

   a) Trial is available, and
   b) Monetary damages are sought, and
   c) Non-monetary damages are insubstantial, and
   d) Damages do not exceed $30,000

2. The President Judge of Superior Court or his designee is to select the arbitrator for an arbitration proceeding subject to the following guidelines:

   a) The parties may request a specific arbitrator by joint agreement, or
   b) if the parties fail to agree upon a set arbitrator of their choice, the Court then is to provide a list of three (3) alternative arbitrators for review by the parties. The plaintiff(s) and the defendant(s) may each strike one alternative arbitrator, and the Court is to appoint the arbitrator from the remaining alternative arbitrators.

3. The arbitrator's decision is to be in the form of a written order. The order is to become a judgment of the Court unless a trial de novo is requested. Any party may request a trial de novo before Superior Court within 20 days following the arbitrator's order.

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1986
WORKLOAD SUMMARY

	Pending 6/30/85	Filings*	Dispositions**	Pending 6/30/86	Change in Pending	% Change
New Castle	481	1,100	904	677	+196	+40.7%
Kent	69	181	163	87	+ 18	+26.1%
Sussex	64	220	189	95	+ 31	+48.4%
State	674	1,501	1,256	859	+245	+39.9%

WORKLOAD

FILINGS

	Cases Eligible for Arbitration***						All Civil Cases					
	Arbitration Cases Filed*		Non-Arbitration Cases Filed		Total Filed		Arbitration Cases Filed*		Non-Arbitration Cases Filed		Total Filed	
New Castle	1,100	47.9%	1,195	52.1%	2,295	100.0%	1,100	34.9%	2,054	65.1%	3,154	100.0%
Kent	181	51.3%	172	48.7%	353	100.0%	181	39.8%	274	60.2%	455	100.0%
Sussex	220	58.0%	259	42.0%	379	100.0%	220	48.0%	238	52.0%	458	100.0%
State	1,501	49.6%	1,526	50.4%	3,027	100.0%	1,501	36.9%	2,566	63.1%	4,067	100.0%

PENDING AT END OF YEAR

	Awaiting Responsive Pleading		Assigned to an Arbitrator		Totals	
New Castle	559	82.6%	118	17.4%	677	100.0%
Kent	67	77.0%	20	23.0%	87	100.0%
Sussex	77	81.1%	18	18.9%	95	100.0%
State	703	81.8%	156	18.2%	859	100.0%

*Includes new arbitration cases, cases stipulated into arbitration, cases reactivated, and cases omitted previously.
**Includes cases removed before hearing, final disposition at hearing, and *de novo* appeals.
***Includes complaints and mechanic's liens and mortgages.

Source: Court Administrator, Superior Court

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1986

TYPES OF FILINGS*

	Number of Filings					
	Complaints		Mechanic's Liens and Mortgages		Total	
New Castle	843	77.8%	240	22.2%	1,083	100.0%
Kent	133	75.1%	44	24.9%	177	100.0%
Sussex	134	62.6%	80	37.4%	214	100.0%
State	1,110	75.3%	364	24.7%	1,474	100.0%

Complaints

	Number of Filings									
	Personal Injury (Auto)		Personal Injury (Non-Auto)		Debt/Breach of Contract		Arbitration Board Appeals		Other		Total	
New Castle	322	38.2%	133	15.8%	289	34.3%	54	6.4%	45	5.3%	843	100.0%
Kent	52	39.1%	18	13.5%	47	35.3%	9	6.8%	7	5.3%	133	100.0%
Sussex	37	27.6%	19	14.2%	49	36.6%	17	12.7%	12	9.0%	134	100.0%
State	411	37.0%	170	15.3%	385	34.7%	80	7.2%	64	5.8%	1,110	100.0%

Mechanic's Liens and Mortgages

	Number of Filings					
	Mechanic's Liens		Mortgages		Total	
New Castle	64	26.7%	176	73.3%	240	100.0%
Kent	18	40.9%	26	59.1%	44	100.0%
Sussex	24	30.0%	56	70.0%	80	100.0%
State	106	29.1%	258	70.9%	364	100.0%

*Includes only new filings.

Source: Court Administrator, Superior Court

SUPERIOR COURT
ARBITRATION

FISCAL YEAR 1986

METHOD OF DISPOSITION

	Number of Dispositions							
	Removed Before Hearing*		Final Disposition Arbitrator's Order**		De Novo Appeal***		Total	
New Castle	563	62.3%	160	17.7%	181	20.0%	904	100.0%
Kent	95	58.3%	26	16.0%	42	25.8%	163	100.0%
Sussex	124	65.6%	35	18.5%	30	15.9%	189	100.0%
State	782	62.3%	221	17.6%	253	20.1%	1,256	100.0%

Removed Before Hearing*

	Number of Dispositions									
	Default Judgment		Dismissal		Settled		Other		Total	
New Castle	144	25.6%	339	60.2%	8	1.4%	72	12.8%	563	100.0%
Kent	25	26.3%	54	56.8%	0	0.0%	16	16.8%	95	100.0%
Sussex	58	46.8%	42	33.9%	4	3.2%	20	16.1%	124	100.0%
State	227	29.0%	435	55.6%	12	1.5%	108	13.8%	782	100.0%

Arbitrator's Orders

	Number of Dispositions					
	Final Disposition**		De Novo Appeal***		Total	
New Castle	160	46.9%	181	53.1%	341	100.0%
Kent	26	38.2%	42	61.8%	68	100.0%
Sussex	35	53.8%	30	46.2%	65	100.0%
State	221	46.6%	253	53.4%	474	100.0%

*Includes dispositions before hearing and removals (certificate of value, stay orders, etc.)
**Cases in which the arbitrator's decision is not appealed de novo.
***Cases in which the arbitrator's decision is appealed de novo.

Source: Court Administrator, Superior Court

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1986

TYPES OF DISPOSITIONS
NEW CASTLE COUNTY

	FINAL DISPOSITION*				DE NOVO APPLICATIONS							HEARINGS
					Order for Plain.			Order for Def.			All	
	Judg. for Plain.	Judg. for Def.	Dismiss	TOTAL	App. by Plain.	App. by Def.	Total	App. by Plain.	App. by Def.	Total	TOTAL	TOTAL
Personal Injury (auto)	53	7	2	62	17	21	38	10	0	10	48	110
Personal Injury (non-auto)	19	6	3	28	8	17	25	15	0	15	40	68
Debt/Breach of Contract	24	7	0	31	5	24	29	17	2	19	48	79
Arbitration Board Appeal	11	4	1	16	3	5	8	7	2	9	17	33
Other Complaints	5	3	0	8	6	7	13	4	0	4	17	25
Mechanic's Lien	7	1	0	8	1	5	6	3	0	3	9	17
Mortgage	6	0	1	7	1	1	2	0	0	0	2	9
TOTAL	125	28	7	160	41	80	121	56	4	60	181	341

*Arbitrator's order is not followed by de novo application. In such cases, the arbitrator's order becomes a judgment.

Judg. = Judgment
Plain. = Plaintiff
Def. = Defendant
App. = Application

Source: Court Administrator, Superior Court

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1986

TYPES OF DISPOSITIONS
KENT COUNTY

	FINAL DISPOSITION*				DE NOVO APPLICATIONS							HEARINGS
					Order for Plain.			Order for Def.			All	
	Judg. for Plain.	Judg. for Def.	Dismiss	TOTAL	App. by Plain.	App. by Def.	Total	App. by Plain.	App. by Def.	Total	TOTAL	TOTAL
Personal Injury (auto)	11	0	0	11	4	4	8	3	0	3	11	22
Personal Injury (non-auto)	2	2	0	4	1	2	3	4	0	4	7	11
Debt/Breach of Contract	4	2	0	6	1	8	9	5	0	5	14	20
Arbitration Board Appeal	1	1	0	2	1	0	1	3	0	3	4	6
Other Complaints	1	0	0	1	0	2	2	0	0	0	2	3
Mechanic's Lien	2	0	0	2	1	2	3	0	0	0	3	5
Mortgage	0	0	0	0	0	1	1	0	0	0	1	1
TOTAL	21	5	0	26	8	19	27	15	0	15	42	68

*Arbitrator's order is not followed by de novo application. In such cases, the arbitrator's order becomes a judgment.

Judg. = Judgment
Plain. = Plaintiff
Def. = Defendant
App. = Application

Source: Court Administrator, Superior Court

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1986

TYPES OF DISPOSITIONS
SUSSEX COUNTY

	FINAL DISPOSITION*				DE NOVO APPLICATIONS							HEARINGS
					Order for Plain.			Order for Def.			All	
	Judg. for Plain.	Judg. for Def.	Dismiss	TOTAL	App. by Plain.	App. by Def.	Total	App. by Plain.	App. by Def.	Total	TOTAL	TOTAL
Personal Injury (auto)	14	1	0	15	3	1	4	1	0	1	5	20
Personal Injury (non-auto)	0	1	0	1	3	1	4	2	0	2	6	7
Debt/Breach of Contract	9	1	0	10	3	3	6	6	1	7	13	23
Arbitration Board Appeal	4	1	0	5	0	0	0	2	0	2	2	7
Other Complaints	0	1	0	1	0	0	0	0	0	0	0	1
Mechanic's Lien	1	0	0	1	0	3	3	1	0	1	4	5
Mortgage	2	0	0	2	0	0	0	0	0	0	0	2
TOTAL	30	5	0	35	9	8	17	12	1	13	30	65

*Arbitrator's order is not followed by de novo application. In such cases, the arbitrator's order becomes a judgment.

Judg. = Judgment
Plain. = Plaintiff
Def. = Defendant
App. = Application

Source: Court Administrator, Superior Court

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1986

TYPES OF DISPOSITIONS
STATE

	FINAL DISPOSITION*				DE NOVO APPLICATIONS							HEARINGS
					Order for Plain.			Order for Def.			All	
	Judg. for Plain.	Judg. for Def.	Dismiss	TOTAL	App. by Plain.	App. by Def.	Total	App. by Plain.	App. by Def.	Total	TOTAL	TOTAL
Personal Injury (auto)	78	8	2	88	24	26	50	14	0	14	64	152
Personal Injury (non-auto)	21	9	3	33	12	20	32	21	0	21	53	86
Debt/Breach of Contract	37	10	0	47	9	35	44	28	3	31	75	122
Arbitration Board Appeal	16	6	1	23	4	5	9	12	2	14	23	46
Other Complaints	6	4	0	10	6	9	15	4	0	4	19	29
Mechanic's Lien	10	1	0	11	2	10	12	4	0	4	16	27
Mortgage	8	0	1	9	1	2	3	0	0	0	3	12
TOTAL	176	38	7	221	58	107	165	83	5	88	253	474

*Arbitrator's order is not followed by de novo application. In such cases, the arbitrator's order becomes a judgment.
Judg. = Judgment
Plain. = Plaintiff
Def. = Defendant
App. = Application

Source: Court Administrator, Superior Court

SUPERIOR COURT

FISCAL YEAR 1986
ARBITRATION
PERFORMANCE SUMMARY

	Average Time From Date of Filing to Date of Appointment	Average Time From Date of Appointment To Date of Hearing	Average Time From Date of Filing To Date of Hearing
New Castle	136.7 days	35.3 days	172.0 days
Kent	93.7 days	52.3 days	146.0 days
Sussex	77.2 days	50.0 days	129.2 days
State	122.0 days	40.0 days	162.0 days

	Average Time From Filing to Final Disposition*	Average Time From Filing to De Novo Appeal	Average Time from Filing to Final Disposition or De Novo Appeal**
New Castle	200.6 days	190.5 days	195.2 days
Kent	191.0 days	192.6 days	192.0 days
Sussex	175.3 days	146.6 days	162.1 days
State	195.4 days	185.6 days	190.2 days

COMPLIANCE WITH 40-DAY RULE***

	Number of Hearings Held Within 40 Days After Appointment of Arbitrator		Number of Hearings Held More Than 40 Days After Appointment of Arbitrator		Total Number of Hearings Held	
New Castle	183	53.7%	158	46.3%	341	100.0%
Kent	28	41.2%	40	58.8%	68	100.0%
Sussex	35	53.8%	30	46.2%	65	100.0%
State	246	51.9%	228	48.1%	474	100.0%

*Disposed of at arbitration hearing and not followed by de novo appeal.

**All cases for which an arbitration hearing was held.

***Superior Court Civil Rule 16(c)(6)(A) states that the arbitration hearing is to be held within 40 days of the appointment. Arbitrators are authorized to grant an extension of time for a hearing to a date certain.

Source: Court Administrator, Superior Court

Law Libraries

LAW LIBRARIES

The standards for the control and supervision of the three Law Libraries are set in 10 Del. Code §1941.

There are three Law Libraries located in the State of Delaware, staffed and maintained by state funds and each presided over by a Law Librarian. The libraries are named after the counties in which they are situated.

The primary function of the Law Libraries is to provide a legal information center for the Judiciary, Public Defender's Office, legal representatives of counties and municipalities, city solicitors, and members of the Delaware Bar. They are also the official depositories for state laws, administrative regulations, and court rules. The libraries are made available to registered law students to assist them in preparation for state bar examinations and in their legal education. All three libraries are designated as official depository libraries by the U. S. Government Printing Office. As state-supported agencies, the libraries are available to the general public during normal working hours although use of the Kent County Law Library has sometimes been limited to court-related users. Assistance is given to persons wishing to use the facilities whenever possible.

The New Castle County Law Library, located in the Public Building, Wilmington, Delaware, is the busiest of the three libraries. It houses about 25,000 books and there is presently seated working space for about 32 persons at one time. The recent purchase of a reader-printer which can make positive printouts from both ultrafiche and microfiche records has been a help to the Law Library and its users. The facility is maintained and administered by a Law Librarian and a Library Assistant. The Kent County Law Library, due to its location, is designated as the State Library. It houses the largest legal library maintained by the state with about 35,000 volumes and is staffed by one Law Librarian. The Sussex County Law Library is staffed by one Law Librarian and houses about 14,000 volumes.

The Law Libraries are responsible for administrative library work as well as maintaining the bookkeeping records required by the State. These duties and responsibilities include but are not limited to the following: insertion of pocket parts, maintenance of loose leaf service bookkeeping for the agency's accounts, preparing invoices for library expenditures, filing and indexing reported and unreported opinions from the several courts, obtaining and filing copies of rules and regulations promulgated by the governmental agencies, maintaining of books and their monetary values, obtaining and filing statutes from the Legislative Council and other states, handling requests from various persons for information contained in the library, handling special requests for research work from the judges, planning and recommending development and improvement of services, writing reports, and performing other duties associated with library work.

LAW LIBRARIES

PERSONNEL

NEW CASTLE COUNTY

New Castle County Law Library
Public Building
1020 North King Street
Wilmington, DE 19801
(571-2437)

Law Librarian
Rene Yucht

Library Assistant
Alda Monsen

KENT COUNTY

Kent County Law Library
Kent County Courthouse
38 The Green
Dover, DE 19901
(736-5467)

Law Librarian
Carol N. Russell

SUSSEX COUNTY

Sussex County Law Library
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-5483, 856-5235)

Law Librarian
Mary Tylecki Dickson

Family Court

FAMILY COURT

Legal Authorization

The Family Court Act, Title 10, Chapter 9, Delaware Code, authorizes the Family Court.

Geographic Organization

The Family Court is a unified statewide Court with branches in New Castle County at Wilmington, Kent County at Dover, and Sussex County at Georgetown.

Legal Jurisdiction

The Family Court has had conferred upon it by the General Assembly jurisdiction over juvenile delinquency, child neglect, dependency, child abuse, adult misdemeanor crimes against juveniles, child and spouse support, paternity of children, custody and visitation of children, adoptions, terminations of parental rights, divorces and annulments, property divisions, specific enforcement of separation agreements, guardianship over minors, imperiling the family relationship, and intra-family misdemeanor crimes.

The Family Court does not have jurisdiction over adults charged with felonies or juveniles charged with first degree murder, rape, or kidnapping.

Appeals are made to either Superior Court or the Supreme Court, depending on the type of case.

Judges

Number: The Court is allowed 13 judges of equal judicial authority, one of whom is appointed by the Governor as Chief Judge and who is the chief administrative and executive officer for the Court. A bare majority of the judges must be of one major political party with the remainder of the other major political party.

Appointment: The Governor appoints the judges, subject to confirmation by the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least 5 years prior to appointment and must have a knowledge of the law and interest in and understanding of family and child problems. They shall not practice law during their tenure and may be reappointed.

Other Judicial Personnel

The Chief Judge appoints and commissions masters for the Court who shall hold office at his pleasure and must have resided in the State for at least 5 years prior to their appointment. Masters may hear any matters properly before them, and their decisions become judgments of the Court unless disapproved by a judge. Parties may request a review de novo by a judge, by petitioning in writing within 15 days of the master's decision.

Support Personnel

The 3 major administrative divisions of the Court are Court Operations, Fiscal Services, and Personnel Services. Fiscal Services and Personnel Services perform staff functions, whereas Court Operations is responsible for the delivery of services to the public.

The Family Court has a staff of more than 220 persons in addition to the judiciary. The staff includes clerks of court, judicial secretaries, counselors, accounting personnel, clerks, clerk-typists, bailiffs, process servers, and hearing officers in mediation and arbitration cases, as well as volunteers working in all areas of the Court.

Caseload Trend

Total filings in Family Court increased by 9.6% from an amended statewide total of 33,121 filings in FY 1985 to 36,287 in FY 1986. Filings increased in each of the counties during FY 1986, and the total filings statewide during FY 1986 was the largest number ever during a fiscal year in Family Court.

There were 35,953 total dispositions statewide during FY 1986 in Family Court, and this was the largest number of total dispositions in a single fiscal year for Family Court. The rise from an amended total of 31,663 dispositions in FY 1985 to 35,953 dispositions in FY 1986 was an increase of 13.5%.

Though dispositions rose sharply during FY 1986, the influence of the great number of filings led to an increase in total pending during FY 1986. The pending at the end of FY 1986 had risen by 3.7% to 9,309 total pending from an amended total of 8,975 pending at the end of FY 1985.

FAMILY COURT

JUDICIARY

Chief Judge
Hon. Robert D. Thompson (D, 10/25/86)
Grace Davis, Secretary
(856-5301)
Lynn Booth, Secretary
(571-2205)

NEW CASTLE COUNTY

Associate Judges
Hon. James J. Horgan (D, 9/29/88)
Kathy Mort, Secretary
(571-2229)
Hon. Jay Paul James (R, 7/31/90)
Cecilia Gallagher, Secretary
(571-2226)
Hon. Karl J. Parrish (D, 10/30/90)
Carol Walton, Secretary
(571-2232)
Hon. John T. Gallagher (D, 11/6/91)
Diane H. Ruggerio, Secretary
(571-3923)
Hon. Jay H. Conner (R, 12/17/93)
Dolores A. Howard, Secretary
(571-6286)
Hon. Charles K. Keil (D, 9/30/95)
Marianne H. O'Donnell, Secretary
(571-2432)
Hon. Peggy L. Ableman (D, 9/30/95)
Barbara Hedgepath, Secretary
(571-2257)
Hon. Robert W. Wakefield (R, 9/30/97)
Janie Bebber, Secretary
(571-2254)

KENT COUNTY

Associate Judges
Hon. David P. Buckson (R, 4/24/87)
Ruth Potter, Secretary
(736-4565)
Hon. Roger D. Kelsey (R, 7/28/87)
Karen Price, Secretary
(736-4513)

SUSSEX COUNTY

Associate Judges
Hon. Battle R. Robinson (R, 8/29/97)
Judy Maddox, Secretary
(856-5540)

Hon. Kenneth M. Millman (R, 9/18/98)
Ruth Chasanov, Secretary
(856-5417, 856-5320)

FAMILY COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Family Court
Family Court Building
900 King Street
P.O. Box 2359
Wilmington, DE 19899
(571-2200)

Chief Master
Dennis T. Reardon
Pat Kane, Secretary
(571-2315)

Masters
William H. McDonough
Ellen McGaughan, Secretary
(571-2417)
Maureen Murphy
Joan Prettyman, Secretary
(571-2593)
Mary Ann Herlihy
Mary Lou McNulty, Secretary
(571-2212)
David J. Haley
Michelle Lewis, Secretary
(571-2303)
Nivea Castro-Figueroa
Pat Berry, Secretary
(571-2631)

KENT COUNTY

Family Court
Arden Building
11 North Street
P.O. Box 310
Dover, DE 19901
(736-4501)

Gary E. Grubb
Janice Carroll, Secretary
(736-5031)

SUSSEX COUNTY

Family Court
Family Court Building
Race and East Pine Streets
P.O. Box 609
Georgetown, DE 19947
(856-7702)

Pamela Deeds Holloway
Judy Goff, Secretary
(856-5638)

Mark Buckworth
Kay VanAuken, Secretary
(856-5254)

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

FOR THE STATEWIDE COURT

Administrator
James T. Glessner
(571-2216)

Chief of Fiscal Services
William B. Breighner
(571-2222)

Chief of Personnel Services
Hope M. Murray
(571-2296)

Director for Research & Planning
Emmett M. Partin
(571-2215)

Director for Treatment Services
Janis F. Harrison
(571-2219)

Director of Support
Susan F. Paikin
(571-3867)

NEW CASTLE COUNTY

Director
Randall E. Williams
(571-2241)

KENT COUNTY

Director
James F. Truitt
(736-4297)

SUSSEX COUNTY

Director
Robert F. Stuart
(856-5515)

FAMILY COURT

FISCAL YEAR 1986
WORKLOAD SUMMARY

	Number of Filings Pending 6/30/85	Filed	Disposed	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle	5,518*	20,765	20,619	5,664	+ 146	+ 2.6%
Kent	1,731*	7,735	7,688	1,778	+ 47	+ 2.7%
Sussex	1,726*	7,787	7,646	1,867	+ 141	+ 8.2%
State	8,975*	36,287	35,953	9,309	+ 334	+ 3.7%

COMPARISON - FISCAL YEARS 1985-1986
WORKLOAD

FILED

	Number of Filings 1985	1986	Change	% Change
New Castle	19,925*	20,765	+ 840	+ 4.2%
Kent	6,546*	7,735	+1,189	+18.2%
Sussex	6,650*	7,787	+1,137	+17.1%
State	33,121*	36,287	+3,166	+ 9.6%

DISPOSED

	Number of Filings 1985	1986	Change	% Change
New Castle	19,566*	20,619	+1,053	+ 5.4%
Kent	5,982*	7,688	+1,706	+28.5%
Sussex	6,115*	7,646	+1,531	+25.0%
State	31,663*	35,953	+4,290	+13.5%

*Amended from 1985 Annual Report.

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1986

TOTAL CASES
WORKLOAD
EXPLANATORY NOTES

1. The unit of count in Family Court adult criminal, juvenile delinquency, and civil cases is the filing.

2. A criminal or delinquency filing is defined as one incident filed against one individual. Each incident is counted separately, so that three incidents brought before the Court on a single individual are counted as three criminal or delinquency filings.

   a. A single criminal or delinquency filing may be comprised of single or multiple charges relating to a single incident.

   b. A criminal filing is received by the Court in the form of an information or a complaint, and a delinquency filing is received by the Court in the form of a petition or a complaint.

3. A civil filing is defined as a single civil incident filed with Family Court. A civil incident is initiated by a petition. In the instance of a divorce, although the petition may contain multiple matters ancillary to the divorce, each petition is counted as one filing.

FAMILY COURT

FISCAL YEAR 1986
ADULT CRIMINAL CASES
WORKLOAD SUMMARY

	Number of Filings					
	Pending 6/30/85	Filed	Disposed	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle	302	2,132	1,977	457	+155	+ 51.3%
Kent	42	404	373	73	+ 31	+ 73.8%
Sussex	112	636	590	158	+ 46	+ 41.1%
State	456	3,172	2,940	688	+232	+ 50.9%

COMPARISON - FISCAL YEARS 1985-1986
ADULT CRIMINAL CASES
WORKLOAD

FILED

	Number of Filings			
	1985	1986	Change	% Change
New Castle	1,789	2,132	+343	+19.2%
Kent	342	404	+ 62	+18.1%
Sussex	551	636	+ 85	+15.4%
State	2,682	3,172	+490	+18.3%

DISPOSED

	Number of Filings			
	1985	1986	Change	% Change
New Castle	1,702	1,977	+275	+16.2%
Kent	398	373	- 25	- 6.3%
Sussex	524	590	+ 66	+12.6%
State	2,624	2,940	+316	+12.0%

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1986
JUVENILE DELINQUENCY CASES
WORKLOAD SUMMARY

	Number of Filings					
	Pending 6/30/85	Filed	Disposed	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle	892	4,266	4,006	1,152	+260	+29.1%
Kent	164	1,096	1,023	237	+ 73	+44.5%
Sussex	364	1,334	1,374	324	- 40	-11.0%
State	1,420	6,696	6,403	1,713	+293	+20.6%

COMPARISON - FISCAL YEARS 1985-1986
JUVENILE DELINQUENCY CASES
WORKLOAD

FILED

	Number of Filings 1985	1986	Change	% Change
New Castle	4,488	4,266	- 222	- 4.9%
Kent	962	1,096	+ 134	+13.9%
Sussex	1,400	1,334	- 66	- 4.7%
State	6,850	6,696	- 154	- 2.2%

DISPOSED

	Number of Filings 1985	1986	Change	% Change
New Castle	4,977	4,006	- 971	-19.5%
Kent	954	1,023	+ 69	+ 7.2%
Sussex	1,292	1,374	+ 82	+ 6.3%
State	7,223	6,403	- 820	-11.4%

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1986
JUVENILE DELINQUENCY CASES
WORKLOAD BREAKDOWNS

FILED

	Number of Filings							
	Felony		Misdemeanor		Traffic		TOTALS	
New Castle	1,022	24.0%	2,975	69.7%	269	6.3%	4,266	100.0%
Kent	238	21.7%	785	71.6%	73	6.7%	1,096	100.0%
Sussex	265	19.9%	952	71.4%	117	8.8%	1,334	100.0%
State	1,525	22.8%	4,712	70.4%	459	6.9%	6,696	100.0%

DISPOSED

	Number of Filings							
	Felony		Misdemeanor		Traffic		TOTALS	
New Castle	1,032	25.8%	2,715	67.8%	259	6.5%	4,006	100.0%
Kent	231	22.6%	735	71.8%	57	5.6%	1,023	100.0%
Sussex	342	24.9%	876	63.8%	156	11.4%	1,374	100.0%
State	1,605	25.1%	4,326	67.6%	472	7.4%	6,403	100.0%

PENDING AT END OF YEAR

	Number of Filings							
	Felony		Misdemeanor		Traffic		TOTALS	
New Castle	276	24.0%	812	70.5%	64	5.6%	1,152	100.0%
Kent	34	14.3%	164	69.2%	39	16.5%	237	100.0%
Sussex	73	22.5%	226	69.8%	25	7.7%	324	100.0%
State	383	22.4%	1,202	70.2%	128	7.5%	1,713	100.0%

CHANGE IN PENDING

	Number of Filings			
	Felony	Misdemeanor	Traffic	TOTALS
New Castle	- 10	+260	+ 10	+260
Kent	+ 7	+ 50	+ 16	+ 73
Sussex	- 77	+ 76	- 39	- 40
State	- 80	+386	- 13	+293

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1986
CIVIL CASES
WORKLOAD SUMMARY

	Number of Filings Pending 6/30/85	Filed	Disposed	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle	4,324*	14,367	14,636	4,055	- 269	- 6.2%
Kent	1,525*	6,235	6,292	1,468	- 57	- 3.7%
Sussex	1,250*	5,817	5,682	1,385	+ 135	+10.8%
State	7,099*	26,419	26,610	6,908	- 191	- 2.7%

COMPARISON - FISCAL YEARS 1985-1986
CIVIL CASES
WORKLOAD

FILED

	Number of Filings 1985	1986	Change	% Change
New Castle	13,648*	14,367	+ 719	+ 5.3%
Kent	5,242*	6,235	+ 993	+18.9%
Sussex	4,699*	5,817	+1,118	+23.8%
State	23,589*	26,419	+2,830	+12.0%

DISPOSED

	Number of Filings 1985	1986	Change	% Change
New Castle	12,887*	14,636	+1,749	+13.6%
Kent	4,630*	6,292	+1,662	+35.9%
Sussex	4,299*	5,682	+1,383	+32.2%
State	21,816*	26,610	+4,794	+22.0%

*Amended from 1985 Annual Report.

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1986
CIVIL CASES
WORKLOAD BREAKDOWNS

FILED

	Divorces and Annulments		Divorce Ancillary Matters		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle	2,115	14.7%	1,054	7.3%	3,155	22.0%	1,304	9.1%	1,723	12.0%	1,404	9.8%
Kent	733	11.8%	125	2.0%	1,427	22.9%	897	14.4%	797	12.8%	951	15.2%
Sussex	621	10.7%	129	2.2%	1,282	22.0%	964	16.6%	785	13.5%	819	14.1%
State	3,469	13.1%	1,308	5.0%	5,864	22.2%	3,165	12.0%	3,305	12.5%	3,174	12.0%

	Visitation		Imperiling Family Relations		Adoptions		Terminations of Parental Rights		Miscellaneous		TOTALS	
New Castle	498	3.5%	549	3.8%	127	0.9%	112	0.8%	2,326	16.2%	14,367	100.0%
Kent	237	3.8%	86	1.4%	47	0.8%	17	0.3%	918	14.7%	6,235	100.0%
Sussex	166	2.9%	151	2.6%	39	0.7%	40	0.7%	821	14.1%	5,817	100.0%
State	901	3.4%	786	3.0%	213	0.8%	169	0.6%	4,065	15.4%	26,419	100.0%

DISPOSED

	Divorces and Annulments		Divorce Ancillary Matters		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle	2,234	15.3%	745	5.1%	3,336	22.8%	1,377	9.4%	1,871	12.8%	1,390	9.5%
Kent	736	11.7%	165	2.6%	1,393	22.1%	915	14.5%	778	12.4%	1,004	16.0%
Sussex	553	9.7%	127	2.2%	1,200	21.1%	975	17.2%	768	13.5%	829	14.6%
State	3,523	13.2%	1,037	3.9%	5,929	22.3%	3,267	12.3%	3,417	12.8%	3,223	12.1%

	Visitation		Imperiling Family Relations		Adoptions		Terminations of Parental Rights		Miscellaneous		TOTALS	
New Castle	477	3.3%	587	4.0%	161	1.1%	122	0.8%	2,336	16.0%	14,636	100.0%
Kent	232	3.7%	91	1.4%	46	0.7%	27	0.4%	905	14.4%	6,292	100.0%
Sussex	197	3.5%	156	2.7%	29	0.5%	29	0.5%	819	14.4%	5,682	100.0%
State	906	3.4%	834	3.1%	236	0.9%	178	0.7%	4,060	15.3%	26,610	100.0%

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1986
CIVIL CASES
WORKLOAD BREAKDOWNS (CONTINUED)

PENDING AT END OF YEAR

	Divorces and Annulments	Divorce Ancillary Matters	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle	870 21.5%	1,312 32.4%	574 14.2%	245 6.0%	229 5.6%	346 8.5%
Kent	296 20.2%	92 6.3%	337 23.0%	211 14.4%	143 9.7%	192 13.1%
Sussex	306 22.1%	144 10.4%	311 22.5%	168 12.1%	147 10.6%	112 8.1%
State	1,472 21.3%	1,548 22.4%	1,222 17.7%	624 9.0%	519 7.5%	650 9.4%

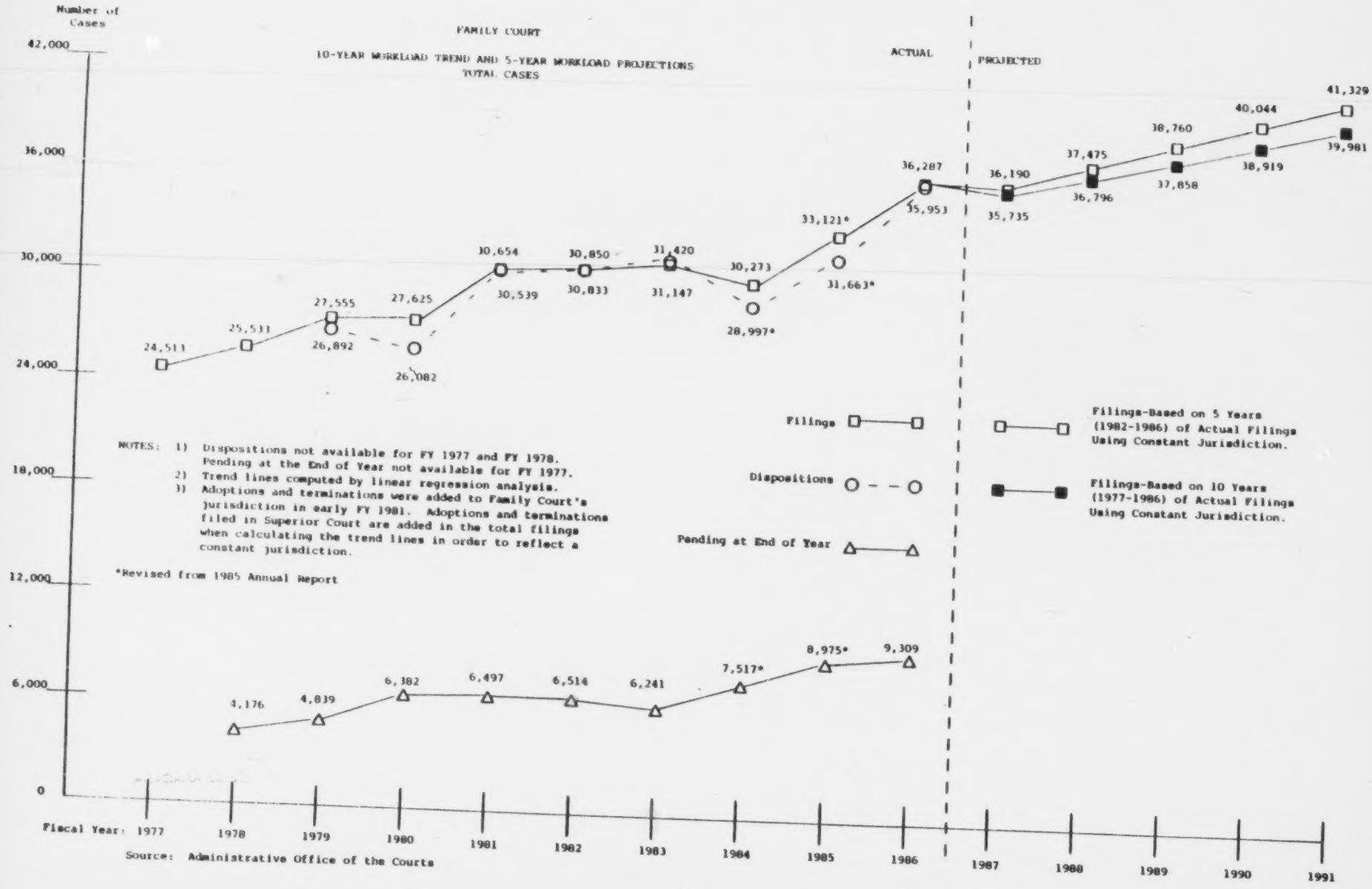
	Visitation	Imperiling Family Relations	Adoptions	Terminations of Parental Rights	Miscellaneous	TOTALS
New Castle	162 4.0%	109 2.7%	1 0.0%	43 1.1%	164 4.0%	4,055 100.0%
Kent	59 4.0%	4 0.3%	18 1.2%	12 0.8%	104 7.1%	1,468 100.0%
Sussex	17 1.2%	15 1.1%	35 2.5%	32 2.3%	98 7.1%	1,385 100.0%
State	238 3.4%	128 1.9%	54 0.8%	87 1.3%	366 5.3%	6,908 100.0%

CHANGE IN PENDING

	Divorces and Annulments	Divorce Ancillary Matters	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle	-119	+309	-181	- 73	-148	+ 14
Kent	- 3	- 40	+ 34	- 18	+ 19	- 53
Sussex	+ 68	+ 2	+ 82	- 11	+ 17	- 10
State	- 54	+271	- 65	-102	-112	- 49

	Visitation	Imperiling Family Relations	Adoptions	Terminations of Parental Rights	Miscellaneous	TOTALS
New Castle	+ 21	- 38	- 34	- 10	- 10	- 269
Kent	+ 5	- 5	+ 1	- 10	+ 13	- 57
Sussex	- 31	- 5	+ 10	+ 11	+ 2	+ 135
State	- 5	- 48	- 23	- 9	+ 5	- 191

Source: Statistician, Family Court



NOTES: 1) Dispositions not available for FY 1977 and FY 1978. Pending at the End of Year not available for FY 1977.
2) Trend lines computed by linear regression analysis.
3) Adoptions and terminations were added to Family Court's jurisdiction in early FY 1981. Adoptions and terminations filed in Superior Court are added in the total filings when calculating the trend lines in order to reflect a constant jurisdiction.

*Revised from 1985 Annual Report

Source: Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1986
ARBITRATION
EXPLANATORY NOTES

1. Arbitration is a process in which a hearing officer from the Arbitration Unit attempts to resolve a case. Certain juvenile delinquency and adult criminal cases may be taken to arbitration.

2. Family Court decides if a case should be prosecuted at a formal hearing or if it should be referred to the Arbitration Unit.

3. A hearing officer determines if the case should be dismissed, sent to a formal hearing, or kept open. A case is kept open if a defendant is required to fulfill conditions set by the officer and agreed to by the defendant.

4. The complainant, victim, defendant, or parent has ten (10) days to request a review of the disposition. The review is done by a Deputy Attorney General, who either upholds the disposition or decides that the matter should go to a formal hearing.

FAMILY COURT

FISCAL YEAR 1986
ARBITRATION ACTIVITY
WORKLOAD BREAKDOWNS

	Juvenile		Juvenile		Total	
	No.	% of Juvenile	No.	% of Adult	No.	% of Total
Defendant Refused Conference	89	4.7%	89	8.7%	178	6.1%
Arbitration Officer Refused Conference	51	2.7%	52	5.1%	103	3.5%
Removed from Arbitration	18	1.0%	29	2.8%	47	1.6%
Withdrawn	46	2.4%	204	20.0%	250	8.6%
Returned to Deputy Attorney General	18	1.0%	12	1.2%	30	1.0%
Dismissal Recommended at Conference	84	4.4%	114	11.2%	198	6.8%
Conditions Imposed	1,583	83.8%	522	51.1%	2,105	72.3%
TOTAL	1,889	100.0%	1,022	100.0%	2,911	100.0%

	Juvenile		Adult		Total	
	No.	% of Pros. Cat.	No.	% of Pros. Cat.	No.	% of Pros. Cat.
Defendant Refused Conference	89	50.0%	89	50.0%	178	100.0%
Arbitration Officer Refused Conference	51	49.5%	52	50.5%	103	100.0%
Removed from Arbitration	18	38.3%	29	61.7%	47	100.0%
Withdrawn	46	18.4%	204	81.6%	250	100.0%
Returned to Deputy Attorney General	18	60.0%	12	40.0%	30	100.0%
Dismissal Recommended at Conference	84	42.4%	114	57.6%	198	100.0%
Conditions Imposed	1,583	75.2%	522	24.8%	2,105	100.0%
TOTAL	1,889	64.9%	1,022	35.1%	2,911	100.0%

No. = Number
Pros. Cat. = Processing Category

Source: Statistician, Family Court

Court of Common Pleas

COURT OF COMMON PLEAS

Legal Authorization

The state Court of Common Pleas was created by 10 Delaware Code, Chapters 13, 15, and 16, effective July 5, 1973.

Geographic Organization

The Court of Common Pleas sits in each of the three counties at the respective county seats.

Legal Jurisdiction

The Court of Common Pleas has statewide jurisdiction which includes concurrent jurisdiction with Superior Court in civil actions where the amount involved, exclusive of interest, does not exceed $15,000 on the complaint. There is no limitation in amount on counterclaim. All civil cases are tried without a jury.

The Court has criminal jurisdiction over all misdemeanors occurring in the State of Delaware except drug-related cases (other than possession of marijuana), and those occurring within the corporate limits of the City of Wilmington. It also is responsible for all preliminary hearings. Jury trial is available to defendants but in New Castle County jury trials are referred to Superior Court for disposition.

Judges

There are five Judges of the Court of Common Pleas, one Chief Judge and four Resident Judges. They are appointed by the Governor with the consent of the Senate for 12 year terms. They must have been actively engaged in the general practice of law in the State of Delaware for at least five years and must be citizens of the State. A majority of not more than one judge may be from the same political party.

Support Personnel

Personnel are appointed by the Chief Judge of the Court of Common Pleas, including a Court Administrator (Chief Clerk) and one Clerk of the Court for each county. Other employees as are necessary are also added, including bailiffs, court reporters, secretaries, clerks, presentence officers, etc.

Caseload Trend

There were increases in filings and dispositions statewide for both criminal and civil cases during FY 1986. The increase in criminal filings and dispositions followed a year of limited change in the criminal sector during FY 1985. The sharp increase in civil filings contrasted with the decreased civil filings in FY 1985 while civil dispositions rose for the second consecutive year.

There were 17,841 criminal filings in FY 1986, a 12.4% rise from 15,872 criminal filings in FY 1985. Criminal dispositions increased to 17,521 in FY 1986 from 15,429 in FY 1985, which is an increase of 13.6%. The increase in filings led to a 12.7% increase in pending to 2,831 at the end of FY 1986 from 2,511 at the end of FY 1985 despite the increase in dispositions.

Civil filings rose sharply to 5,681 filings during FY 1986, an increase of 1,934 filings from the 3,747 filings in FY 1985. This increase can be traced to a rise of 1,937 civil filings in New Castle County to a total of 4,697 during FY 1986, a 70.2% increase from the 2,760 filings in FY 1985. Civil dispositions increased to 4,630 dispositions in FY 1986 which was a rise of 528 civil dispositions from the FY 1985 total of 4,102 dispositions. As with the filings, the increase in civil dispositions can be shown to be the result of an increase in New Castle County. Civil dispositions rose by 533 in New Castle County during FY 1986 to 3,662 from the 3,129 civil dispositions in FY 1985. Civil pending rose by 1,035 to 4,047 civil pending at the end of FY 1986, due almost totally to an increase of 1,035 civil pending in New Castle County during FY 1986.

JUDICIARY

NEW CASTLE COUNTY

Chief Judge
Hon. Robert H. Wahl (D, 9/14/96)
Beulah O. Goldsborough, Secretary
(571-2412)

Resident Judge
Hon. William C. Bradley, Jr. (D, 9/29/88)
Peggy Papili, Secretary
(571-2410)
Hon. Arthur F. DiSabatino (R, 6/27/97)
Margaret Renai, Secretary
(571-2411)

KENT COUNTY

Resident Judge
Hon. Merrill C. Trader (R, 9/14/96)
Mary Elyn Massey, Secretary
(736-4617)

SUSSEX COUNTY

Resident Judge
Hon. Paul E. Ellis (D, 8/28/97)
Katherine Truitt, Secretary
(856-5591)

COURT OF COMMON PLEAS

Court Administrator (571-2804)
Carole B. Kirshner
Shari Berkowitz, Secretary
Joan Stadelman, Account Clerk

NEW CASTLE COUNTY (571-2430)	KENT COUNTY (736-4618)	SUSSEX COUNTY (856-5333)
Court of Common Pleas Courthouse 10th & King Streets Wilmington, DE 19801	Court of Common Pleas Courthouse The Green Dover, DE 19901	Court of Common Pleas Courthouse The Circle Georgetown, DE 19947
Clerks of Court Frederick Kirch	Ruth Biddle	Doris Wilkins
Deputy Clerks Angeline Pineault, Chief Elizabeth Jonkiert Catherine Wharton	Anna Benton	Joyce Betts
Court Reporters (571-2863) Carol Schatzman Jacalyn Aff Cheryl Simmons	Sheila Dougherty	Raymond Kenney
Presentence Officers (571-3834) John Jaremchuk, Jr., Chief		Substance Abuse Coordinating Counselor Shirley Fish
Bailiffs Allan Rogers, Chief	David Reid Mary McFaul	Donald Beebe R. Burton Hicks

COURT OF COMMON PLEAS

FISCAL YEAR 1986
CRIMINAL CASES*
WORKLOAD SUMMARY

	Pending 6/30/85	Filings	Dispositions	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle	1,523	10,741	10,519	1,745	+222	+14.9%
Kent	380	3,765	3,615	530	+150	+39.5%
Sussex	608	3,335	3,387	556	- 52	- 8.6%
State	2,511	17,841	17,521	2,831	+320	+12.7%

COMPARISON - FISCAL YEARS 1985-1986
CRIMINAL CASES*
WORKLOAD

FILINGS

	1985	1986	Change	% Change
New Castle	10,466	10,741	+ 275	+ 2.6%
Kent	2,798	3,765	+ 967	+34.6%
Sussex	2,608	3,335	+ 727	+27.9%
State	15,872	17,841	+1,969	+12.4%

DISPOSITIONS

	1985	1986	Change	% Change
New Castle	10,224	10,519	+ 295	+ 2.9%
Kent	2,737	3,615	+ 878	+32.1%
Sussex	2,468	3,387	+ 919	+37.2%
State	15,429	17,521	+2,092	+13.6%

*The unit of count for criminal cases is the charge. For example, a defendant brought before the court on 3 charges would be counted as 3 cases.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1986
CRIMINAL CASES*
WORKLOAD BREAKDOWNS

FILINGS

	Original**		Optional Transfers#		Mandatory Transfers##		Reduced to Misdemeanor@		TOTALS		Preliminary Hearings
New Castle	519	4.8%	9,335	86.9%	436	4.1%	451	4.2%	10,741	100.0%	4,784
Kent	226	6.0%	3,145	83.6%	370	9.8%	24	0.6%	3,765	100.0%	1,857
Sussex	351	10.6%	2,406	72.1%	327	9.8%	251	7.5%	3,335	100.0%	2,081
State	1,096	6.1%	14,886	83.4%	1,133	6.4%	726	4.1%	17,841	100.0%	8,722

DISPOSITIONS

	Jury		Non-Jury		TOTALS	
New Castle	0	0.0%	10,519	100.0%	10,519	100.0%
Kent	100	2.8%	3,515	97.2%	3,615	100.0%
Sussex	7	0.2%	3,380	99.8%	3,387	100.0%
State	107	0.6%	17,414	99.4%	17,521	100.0%

PENDING AT END OF YEAR

	Capiases		Other@@		TOTALS	
New Castle	935	53.6%	810	46.4%	1,745	100.0%
Kent	64	12.1%	466	87.9%	530	100.0%
Sussex	75	13.5%	481	86.5%	556	100.0%
State	1,074	37.9%	1,757	62.1%	2,831	100.0%

CHANGE IN PENDING

	Capiases	Other@@	TOTALS
New Castle	+197	+ 25	+222
Kent	+ 20	+130	+150
Sussex	- 52	0	- 52
State	+165	+155	+320

*The unit of count in criminal cases is the charge. For example, a defendant brought before the Court on 3 charges would be counted as 3 cases.

**Charges filed initially in the Court of Common Pleas.

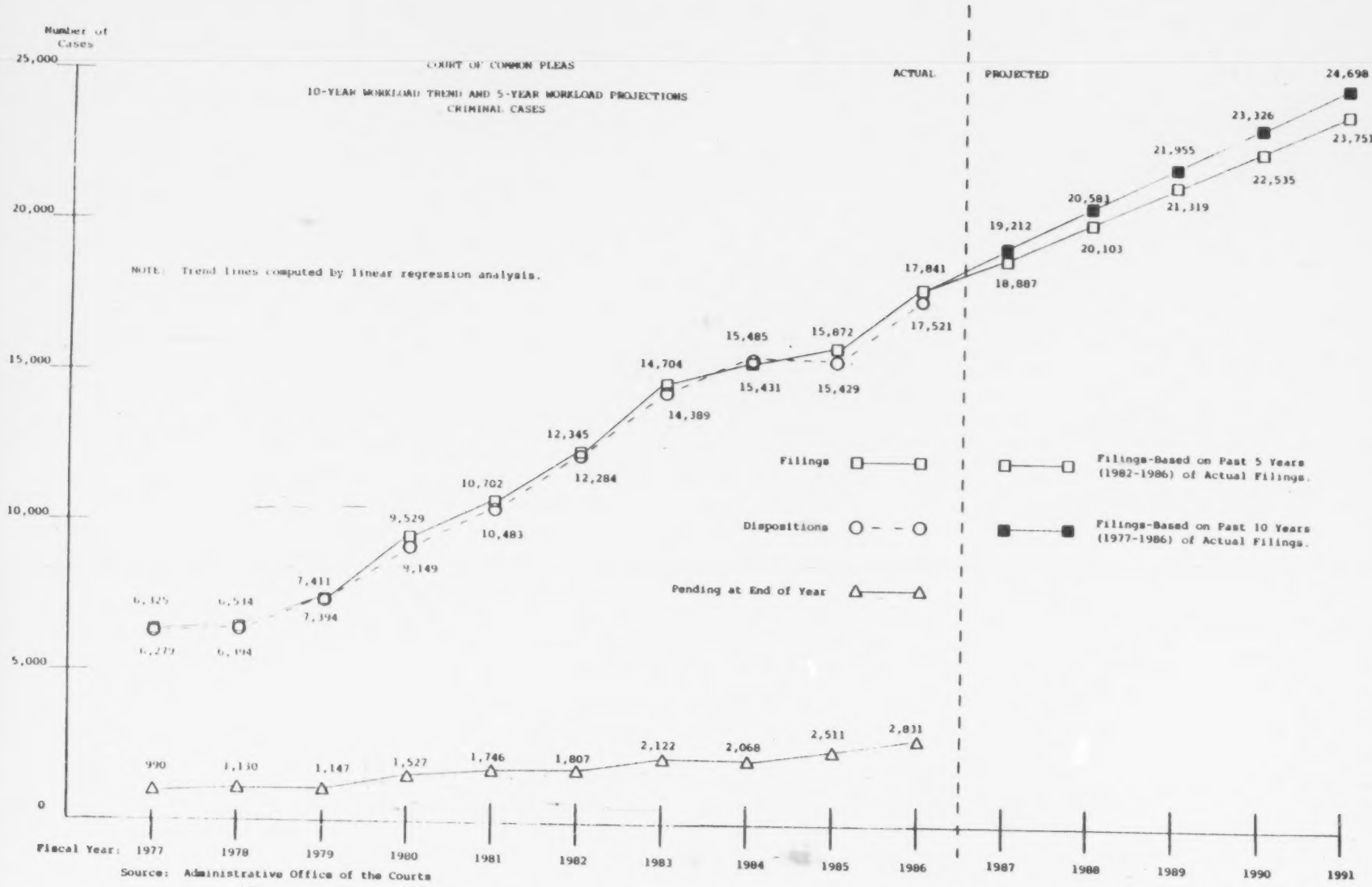
#Charges filed originally in Justice of the Peace Courts which were transferred to the Court of Common Pleas at the option of the defendant.

##Charges originally filed in Justice of the Peace Courts which by statute must be transferred to the Court of Common Pleas.

@Felony charges brought before the Court of Common Pleas for preliminary hearing which are reduced to misdemeanors and pled guilty to.

@@Includes triable cases and first offenders undergoing rehabilitation according to the Driving Under the Influence statute.

Source: Court Administrator, Court of Common Pleas



Source: Administrative Office of the Courts

COURT OF COMMON PLEAS

FISCAL YEAR 1986
PRESENTENCE OFFICE
WORKLOAD SUMMARY

	Pending 6/30/85	Investigations Ordered	Investigations Completed*	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle	120	447	435	132	+12	+ 10.0%
Kent**	9	25	32	2	- 7	- 77.8%
Sussex**	13	19	20	12	- 1	- 7.7%
State	142	491	487	146	+ 4	+ 2.8%

COMPARISON - FISCAL YEARS 1985-1986
PRESENTENCE OFFICE
WORKLOAD

INVESTIGATIONS ORDERED

	1985	1986	Change	% Change
New Castle	382	447	+65	+ 17.0%
Kent**	47	25	-22	- 46.8%
Sussex**	21	19	- 2	- 9.5%
State	450	491	+41	+ 9.1%

INVESTIGATIONS COMPLETED*

	1985	1986	Change	% Change
New Castle	367	435	+68	+ 18.5%
Kent**	55	32	-23	- 41.8%
Sussex**	19	20	+ 1	+ 5.3%
State	441	487	+46	+ 10.4%

*An investigation is considered completed when it has been both written and typed or has been otherwise closed (i.e. deceased defendant, motion for new trial granted, etc.).
**Presentence investigations for the Court of Common Pleas in Kent and Sussex Counties are done by the Superior Court Presentence Office.

Source: Court Administrator, Court of Common Pleas; Superior Court Presentence Offices, Kent and Sussex Counties.

COURT OF COMMON PLEAS

FISCAL YEAR 1986
PRESENTENCE OFFICE
PERFORMANCE

	No. of Defendants Sentenced After Presentence Investigation	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced
New Castle	439	27.9 days	0.5 days	28.4 days	1.3 days	29.7 days
Kent	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Sussex	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
State	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

PRODUCTIVITY

	INVESTIGATIONS		TYPING	
	Number of Investigations Written	Average Number Written Per Month	Number of Investigations Typed	Average Number Typed Per Month
New Castle	435	36.3	435	36.3
Kent	N.A.	N.A.	N.A.	N.A.
Sussex	N.A.	N.A.	N.A.	N.A.
State	N.A.	N.A.	N.A.	N.A.

N.A. = Not Applicable. This is because presentence investigations for the Court of Common Pleas in Kent County and Sussex County are done by the Superior Court Presentence Office.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1986
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/85	Filings	Dispositions	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle	2,542	4,697	3,662	3,577	+1,035	+40.7%
Kent	211	438	425	224	+ 13	+ 6.2%
Sussex	243	546	543	246	+ 3	+ 1.2%
State	2,996	5,681	4,630	4,047	+1,051	+35.1%

COMPARISON - FISCAL YEARS 1985-1986
CIVIL CASES
WORKLOAD

FILINGS

	1985	1986	Change	% Change
New Castle	2,760	4,697	+1,937	+70.2%
Kent	451	438	- 13	- 2.4%
Sussex	536	546	+ 10	+ 1.9%
State	3,747	5,681	+1,934	+51.6%

DISPOSITIONS

	1985	1986	Change	% Change
New Castle	3,129	3,662	+533	+17.0%
Kent	449	425	- 24	- 5.4%
Sussex	524	543	+ 19	+ 3.6%
State	4,102	4,630	+528	+12.9%

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1986
CIVIL CASES
WORKLOAD BREAKDOWNS

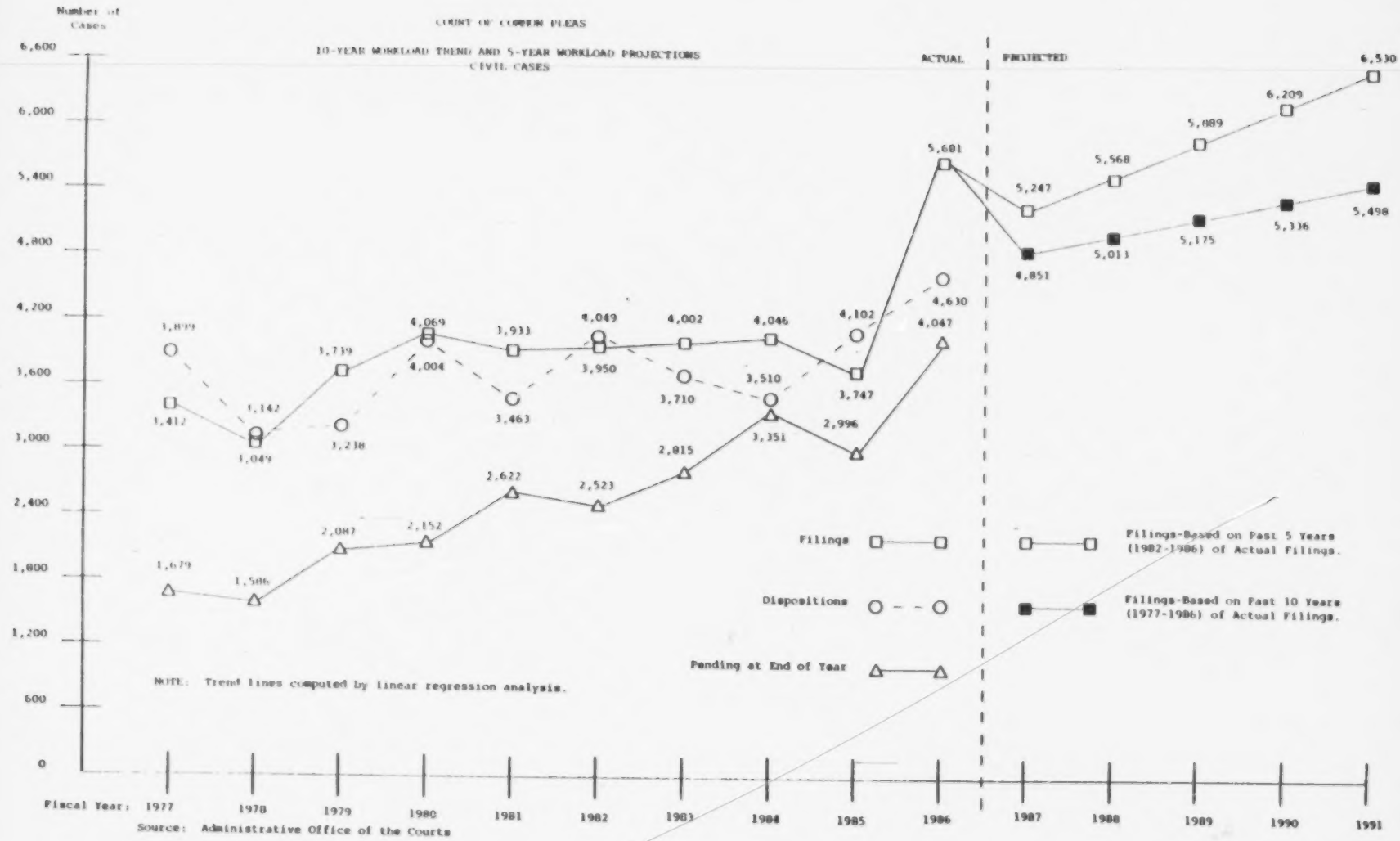
FILINGS

	Complaints		Civil Judgments, Name Changes		TOTALS	
New Castle	4,299	91.5%	398	8.5%	4,697	100.0%
Kent	397	90.6%	41	9.4%	438	100.0%
Sussex	494	90.5%	52	9.5%	546	100.0%
State	5,190	91.4%	491	8.6%	5,681	100.0%

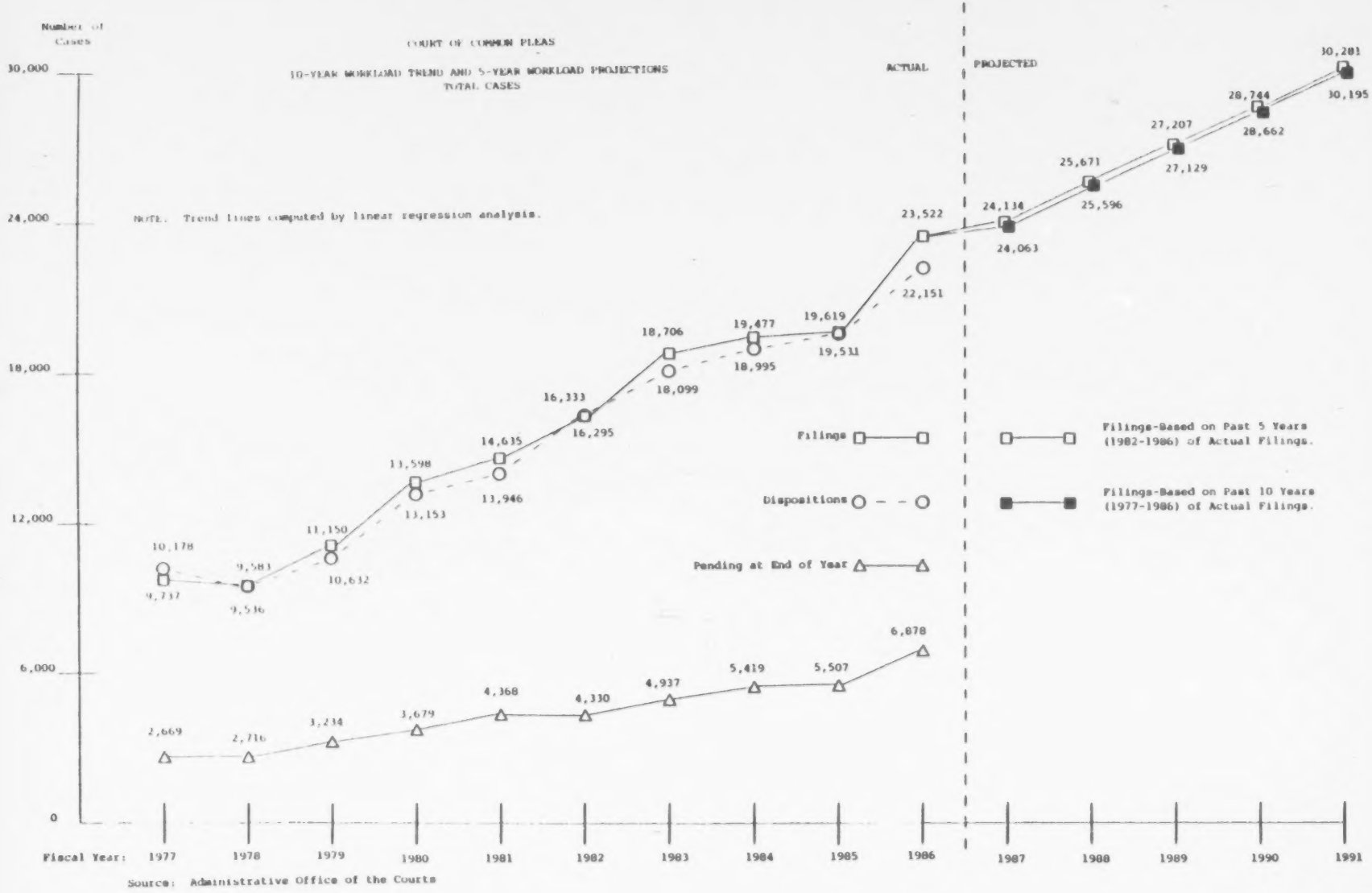
DISPOSITIONS

	By Court		By Counsel		TOTALS	
New Castle	706	19.3%	2,956	80.7%	3,662	100.0%
Kent	148	34.8%	277	65.2%	425	100.0%
Sussex	127	23.4%	416	76.6%	543	100.0%
State	981	21.2%	3,649	78.8%	4,630	100.0%

Source: Court Administrator, Court of Common Pleas



Source: Administrative Office of the Courts



Source: Administrative Office of the Courts

Municipal Court

MUNICIPAL COURT

Legal Authorization

The Municipal Court of the City of Wilmington is authorized by 10 Delaware Code, Chapter 17.

Geographic Organization

The Court has jurisdiction within the geographic boundaries of Wilmington.

Legal Jurisdiction

Municipal Court has criminal jurisdiction over traffic, misdemeanor, and municipal ordinances concurrent with the Justice of the Peace Courts and the Court of Common Pleas. The Court conducts preliminary hearings for both felonies and drug-related misdemeanors. Jury trials are not available. The Court has a Violations Division which processes all moving and parking citations.

Judges

Number	- There are 3 Judges of the Municipal Court of Wilmington; at present two are full time and one is part time. Not more than 2 of the Judges may be members of the same political party.
Appointment	- The Judges are appointed by the Governor, with the approval by the Senate.
Tenure	- Judges are appointed for 12-year terms.
Qualifications	- The Judges must be licensed to practice law in the State of Delaware for 5 years preceding appointment.

Support Personnel

The Chief Judge of the Municipal Court appoints a Chief Clerk who may in turn appoint Deputies.

Caseload Trend

The 11,841 criminal cases filed in Municipal Court during FY 1985 rose by 7.6% to 12,740 criminal filings during FY 1986. There were 12,988 criminal dispositions in FY 1986, an increase of 1,602 dispositions from the 11,386 criminal dispositions in FY 1985.

The totals for traffic cases increased during FY 1896 from the traffic filing and disposition totals in FY 1985. Filings rose by 14.4% to 17,801 in FY 1986 from 15,555 in FY 1985, an increase of 2,246 filings. Dispositions in traffic cases rose even more sharply to 17,526 in FY 1986 from 15,086 in FY 1985. This increase of 2,440 dispositions resulted in a percentage increase of 16.2%.

The increase in criminal filings was not as great as the rise in criminal dispositions during FY 1986, which was a cause for the drop in criminal pending. The 1,751 criminal pending at the end of FY 1985 fell by 248 cases to 1,503 pending at the end of FY 1986, a drop of 14.2%. Traffic pending rose by 18.7% from 1,471 at the end of FY 1985 to 1,746 at the end of FY 1986.

Totals for both filings and dispositions increased in FY 1986. Total filings increased by 11.5% to 30,541 in FY 1986 from 27,396 in FY 1985. Total dispositions rose by 15.3% to 30,514 in FY 1986 from 26,472 in FY 1985. There was a slight increase in year's end pending from 3,222 at the end of FY 1985 to 3,249 at the end of FY 1986.

MUNICIPAL COURT

Court House
1000 King Street
Wilmington, Delaware 19801
(571-4530)

JUDICIARY

Chief Judge

Hon. Alfred Fraczkowski (R, 8/7/93)
Karen A. Brandenberger, Executive Secretary
(571-4550)

Associate Judges

Hon. Carl Goldstein (R, 6/30/94)
Joyce Vietri, Secretary
(571-4551)

Hon. Leonard L. Williams (D, 6/4/78)
(571-4551)

MUNICIPAL COURT

SUPPORT PERSONNEL

Court Commissioners
T. Roger Barton, Clerk of Court
(571-4534)
Richard O. Douglas, Deputy Clerk
(571-4540)
Furio R. Casale, Deputy Clerk
(571-4540)
Laurence L. Fitchett, Deputy Clerk
(571-4540)
Nancy L. Roberts, Deputy Clerk
(571-4540)
Carolyn A. Carroll, Secretary
(571-4534)

Process Service
Steven Jonkiert

Bailiffs
David L. Dempsey
Gerald Nolan
Cornelius Morris
Lucy Gomez

Criminal Clerical Staff
Josephine Smulski
Kathy Holstein
Mary E. Devine
Diane DeCusatis
Debra Gibbs
Evelyn M. Smith
Jacquelyn Smith
Janet Davis (part-time)

Traffic Violation Staff
Shirley S. Cohen
Carolyn Sylvester
Ann Collins
Kimberly Betz

MUNICIPAL COURT

FISCAL YEAR 1986
WORKLOAD SUMMARY*

	Pending 6/30/85	Filings	Dispositions	Pending 6/30/86	Change In Pending	% Change In Pending
Criminal	1,751	12,740	12,988	1,503	-248	-14.2%
Traffic	1,471	17,801	17,526	1,746	+275	+18.7%
TOTALS	3,222	30,541	30,514	3,249	+ 27	+ 0.8%

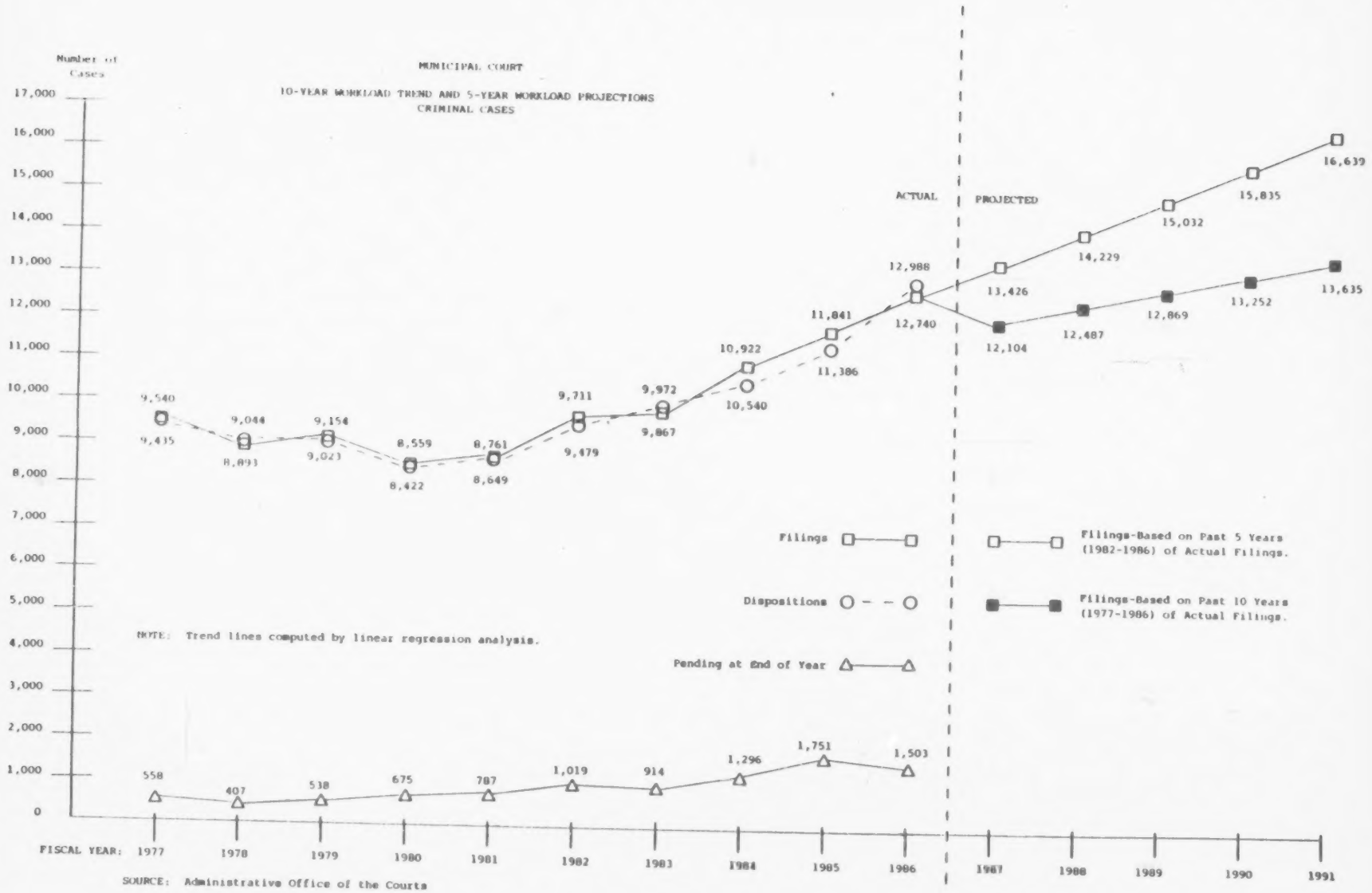
COMPARISON - FISCAL YEARS 1985-1986
WORKLOAD*

FILINGS	1985	1986	Change	% Change
Criminal	11,841	12,740	+ 899	+ 7.6%
Traffic	15,555	17,801	+2,246	+14.4%
TOTALS	27,396	30,541	+3,145	+11.5%

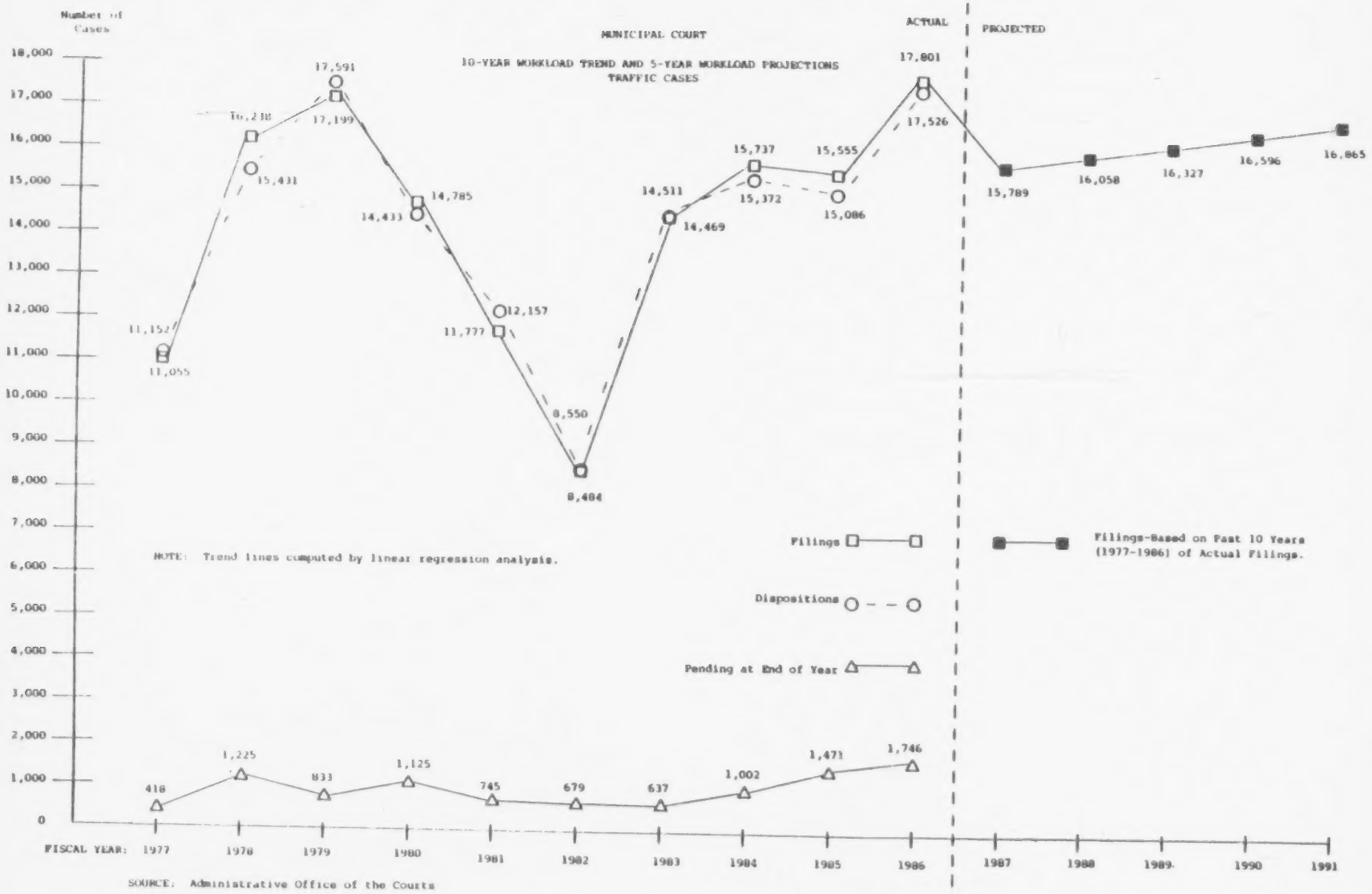
DISPOSITIONS	1985	1986	Change	% Change
Criminal	11,386	12,988	+1,602	+14.1%
Traffic	15,086	17,526	+2,440	+16.2%
TOTALS	26,472	30,514	+4,042	+15.3%

*The unit of count in Municipal Court is the charge. For example, a defendant brought before the Court on 3 charges would be counted as 3 cases.

Source: Chief Court Commissioner, Municipal Court

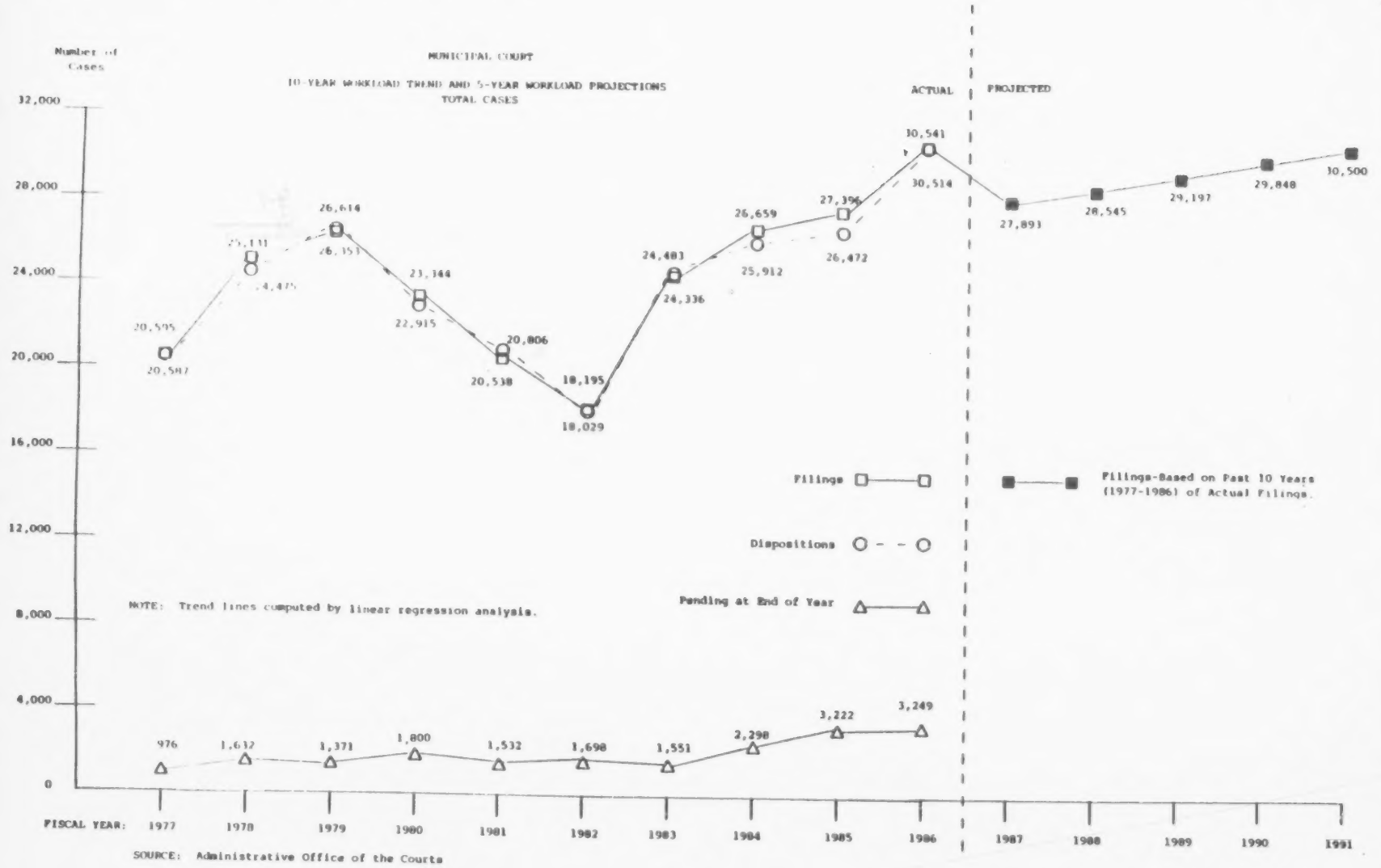


SOURCE: Administrative Office of the Courts



NOTE: Trend lines computed by linear regression analysis.

SOURCE: Administrative Office of the Courts



SOURCE: Administrative Office of the Courts

Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

Legal Authorization

The Justice of the Peace Courts are authorized by the Constitution of Delaware, Article IV, Section 1.

Geographic Organization

The jurisdiction of the Courts is statewide and sessions are held throughout the State. Of the 19 Courts currently operating, 8 are in New Castle County, 4 are in Kent County, and 7 are in Sussex County.

Legal Jurisdiction

The Justice of the Peace Courts have jurisdiction over civil cases in which the amount in controversy does not exceed $2,500. JP Courts are authorized to hear certain misdemeanors and most motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. Appeals may be taken de novo to Superior Court. The subject matter jurisdiction of the Justice of the Peace Courts is shared with the Court of Common Pleas.

Justices of the Peace

The Delaware Code authorizes a maximum of 53 Justices of the Peace. The maximum number of Justices of the Peace permitted in each county is: 24 in New Castle County, 12 in Kent County, and 17 in Sussex County. Magistrates are appointed by the Governor and confirmed by the Senate for terms of four years. A Justice of the Peace must be at least 21 years of age and a resident of the State of Delaware and of the county in which he serves. In addition to the 53 Justices of the Peace, the Governor appoints a Chief Magistrate, subject to Senate confirmation.

Support Personnel

An Administrator, two administrative officers, and a fiscal administrative officer help the Chief Magistrate direct the JP Courts on a day-to-day basis. The State provides clerks of the court, constables, presentence officers, and other personnel for the courts.

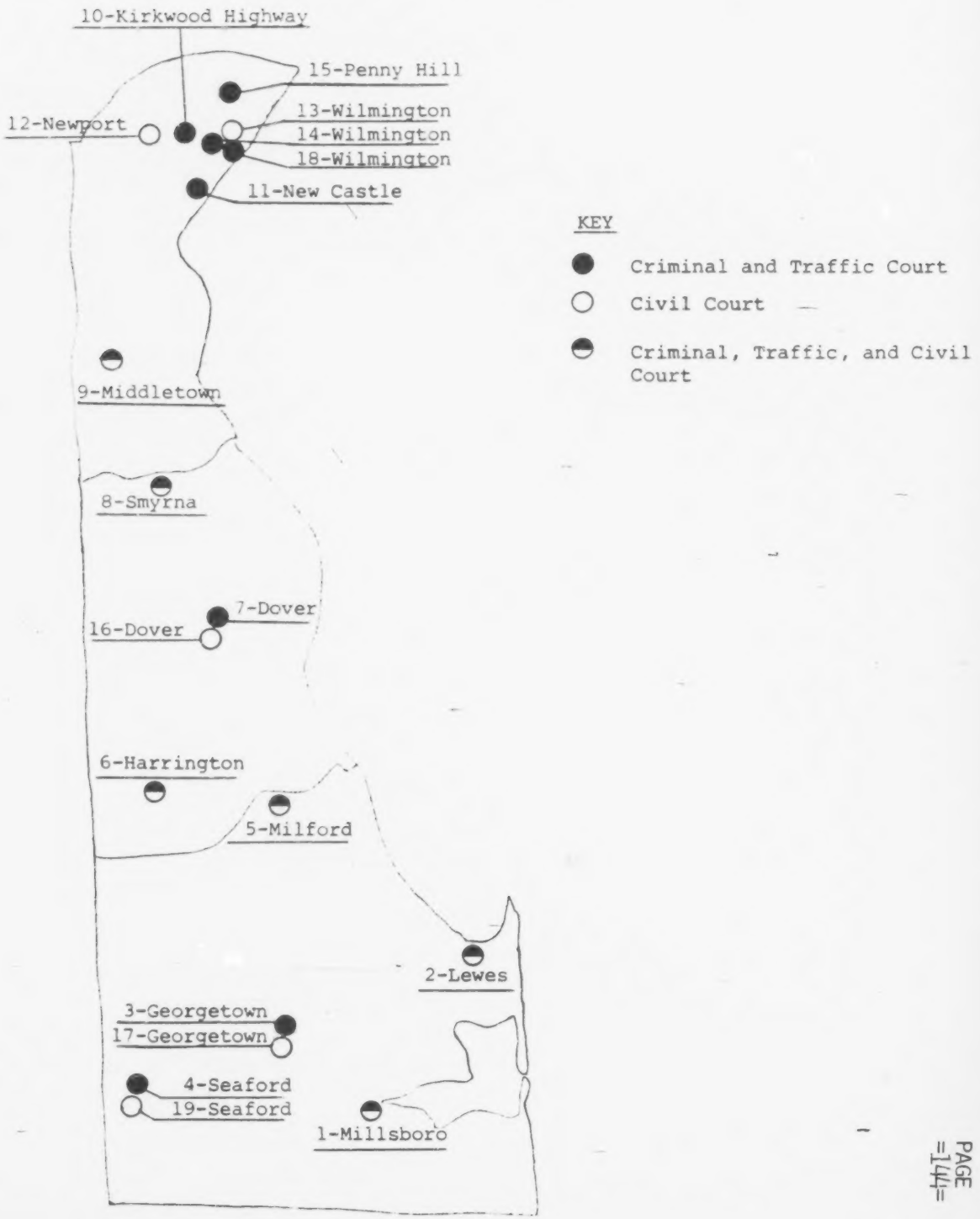
Caseload Trend

Both criminal filings and dispositions rose to new single fiscal year levels during FY 1986. There was an increase of 19,105 criminal filings from 147,922 in FY 1985 to 167,027 during FY 1986, a rise of 12.9%. The 165,212 criminal dispositions for FY 1986 are 11.2% above the 148,631 in FY 1985, an increase of 16,581 dispositions. There was a rise in criminal pending from 3,680 at the end of FY 1985 to 5,495 criminal pending at the end of FY 1986, an increase of 1,815 criminal pending.

Civil filings and dispositions both rose to record levels in FY 1986, eclipsing records set in the previous fiscal year. Civil filings rose by 7.4% from 24,164 civil filings in FY 1985 to 25,955 civil filings in FY 1986. Civil dispositions increased to 27,232 in FY 1986 from 26,015 in FY 1985, a rise of 4.7%. Civil pending fell by 1,277 cases from 6,952 at the end of FY 1985 to 5,675 at the end of FY 1986.

The new record levels for criminal filings and dispositions and for civil filings and dispositions resulted in record amounts of total filings and dispositions during FY 1986. There were 192,982 total filings in FY 1986, a rise of 12.1% from the 172,086 total filings during FY 1985. The 192,444 total dispositions during FY 1986 are 10.2% higher than the 174,646 total dispositions during FY 1985. Because filings rose more substantially than total dispositions during FY 1986, there was a 5.1% increase from 10,632 total pending at the end of FY 1985 to 11,170 total pending at the end of FY 1986.

JUSTICE OF THE PEACE COURTS IN DELAWARE



JUSTICE OF THE PEACE COURTS

Court	Location		Hours Open	Total Hours Open Per Week	Jurisdiction
New Castle County					
Court 9	Middletown		M, Tu, Th, F 8AM-4PM; W Noon-8PM	40	Criminal & Civil
Court 10	Kirkwood Highway		7 Days Per Week, 8AM-Midnight	112	Criminal
Court 11	New Castle		7 Days Per Week, 24 Hours Per Day	168	Criminal
Court 12	Newport		M-F 8:30AM-4:30PM	40	Civil
Court 13	Wilmington		M-F 8AM-4PM	40	Civil
Court 14	Wilmington		M-F 8AM-4PM	40	Criminal
Court 15	Penny Hill		M, Sat 8AM-4PM; Tu-F 8AM-Midnight	80	Criminal
Court 18	Wilmington		M-F 9AM-5PM	40	Criminal
Kent County					
Court 6	Harrington		M-F 8AM-4PM	40	Criminal & Civil
Court 7	Dover		7 Days Per Week, 24 Hours Per Day	168	Criminal
Court 16	Dover		M-F 8:30AM-4:30PM	40	Civil
Court 8	Smyrna		M-F 8AM-4PM	40	Criminal & Civil
Sussex County					
Court 1	Millsboro		M-F 9AM-5PM	40	Criminal & Civil
Court 2	Lewes	Winter:	M, Tu 8AM-4PM; W-Sat 8AM-Midnight	80	Criminal & Civil
		Summer:	Sun, M 8AM-4PM; T-Sat 8AM-Midnight	96	Criminal & Civil
Court 3	Georgetown		7 Days Per Week, 24 Hours Per Day	168	Criminal
Court 17	Georgetown		M-F 8AM-4PM	40	Civil
Court 4	Seaford		M-Sat 8AM-Midnight	96	Criminal
Court 19	Seaford		M-F 8AM-4PM	40	Civil
Court 5	Milford		M-F 8AM-4PM	40	Criminal & Civil

JUSTICE OF THE PEACE COURTS

JUDICIARY

Chief Magistrate
Hon. Norman A. Barron (6/20/88)
Pamela A. Nagle, Secretary

New Castle County
Deputy Chief Magistrate
Hon. Morris Levenberg (6/30/89)

Kent County
Deputy Chief Magistrate
Hon. Charles M. Stump (6/5/88)

Sussex County
Deputy Chief Magistrate
Hon. William J. Hopkins, Jr. (4/19/86)
Hon. Thomas J. Orr (6/20/90)

New Castle County
Justices of the Peace
Hon. Andrew G. Ahern, Jr. (6/27/88)
Hon. David R. Anderson (10/6/90)
Hon. Richard L. Brandenberg (6/30/90)
Hon. William W. Brittingham (6/20/89)
Hon. Ronald E. Cheeseman (5/22/88)
Hon. Thomas E. Cole (4/16/90)
Hon. Barbara C. Hughes (6/30/89)
Hon. Lorin P. Hunt (6/27/88)
Hon. Virginia W. Johnson (6/30/90)
Hon. Vivian K. Kleinman (5/31/87)
Hon. Ann A. Lewis (5/10/87)
Hon. Edwin L. Lord, Jr. (6/30/89)
Hon. Kathleen C. Lucas (6/30/89)
Hon. Ruth P. Malm (1/11/81)
Hon. John P. McLaughlin (5/22/88)
Hon. Marc P. Niedzielski (6/1/84)
Hon. Mable M. Pitt (6/22/83)
Hon. Edward M. Poling (6/30/89)
Hon. William S. Rowe, Jr. (6/27/88)
Hon. Rosalie O. Rutkowski (8/5/88)
Hon. David R. Skelley (6/30/89)
Hon. Rosalind Toulson (6/2/87)
Hon. John H. Wilding (9/29/84)

Kent County
Justices of the Peace
Hon. Ernst M. Arndt (6/30/89)
Hon. Margret L. Barrett (6/29/86)
Hon. Helen M. Brandt (6/20/86)
Hon. George W. Kershner, III (6/30/90)
Hon. Joseph A. Knussman (6/22/87)
Hon. Ellis B. Parrott (6/10/90)
Hon. Agnes E. Pennella (7/19/87)
Hon. Russell T. Rash (6/30/89)
Hon. Alice W. Stark (9/1/89)
Hon. Wallace P. Wootten (5/9/78)
Vacant

Sussex County
Justices of the Peace
Hon. Sheila A. Blakely (7/19/87)
Hon. William A. Booth (7/1/86)
Hon. Francis G. Charles (9/30/89)
Hon. Richard D. Comly (8/28/89)
Hon. Edward G. Davis (7/2/87)
Hon. Walter J. Godwin (6/30/88)
Hon. Jeffrey W. Hague (7/1/88)
Hon. Robert F. Handy (6/5/88)
Hon. Thomas W. Hutson (6/27/87)
Hon. Howard W. Mulvaney, III (7/19/87)
Hon. Almetia J. Murray (7/1/90)
Hon. William F. Plack, Jr. (6/20/90)
Hon. Edward G. Pollard, Jr. (6/30/88)
Hon. Horace W. Short (5/29/88)
Hon. Abigayle E. Truitt (7/2/87)

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Administrative Office
61 Christiana Road
New Castle, DE 19720
(323-4530)

Administrator
Michael E. McLaughlin
Anne Amalfitano, Secretary

Administrative Officers
Thomas W. Nagle
Mary E. Cooper
Christine H. Roberts, Clerk

Fiscal Administrative Officer
Earl Shockley

Administrative Assistant
Sandra L. Coleman

COURT 9

18 South Broad Street
Middletown, DE 19709
(378-9533)

Clerk of the Court

Agnes B. Thompson

KENT COUNTY

COURT 6

Post Office Box 3
Route 13
(398-8247)

Clerk of the Court

Betty Pleasanton

SUSSEX COUNTY

COURT 1

Post Office Box 192
Route 113
(934-7268)

Clerk of the Court

Debbie Vickers

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

COURT 10

2207 St. James Church Road
Wilmington, DE 19808
(995-8640)

Clerk of the Court
Caroline F. Pini

Presentence Officer
Hazel Plant

COURT 11

61 Christiana Road
New Castle, DE 19720
(323-4450)

Clerk of the Court
Nancy Snipes

COURT 12

1500 East Newport Pike
Wilmington, DE 19804
(994-9314, 994-9652)

Clerk of the Court
Ann Marie Ellingsworth

KENTY COUNTY

COURT 7

Post Office Box 1081
Railroad & Loockerman Streets
Dover, DE 19901
(736-4554, 736-4555)

Clerk of the Court
Marjorie Nolette

Presentence Officer
Monika Rash

COURT 8

115 East North Street
Smyrna, DE 19977
(653-7083)

Clerk of the Court
Ruth Porter

COURT 16

Post Office Box 1081
Railroad & Loockerman Streets
Dover, DE 19901
(736-4316)

Clerk of the Court
Evelyn Webb

SUSSEX COUNTY

COURT 2

Post Office Box 492
Route 9
Lewes, DE 19958
(645-6163)

Clerk of the Court
Joanne R. Ash

COURT 3

Post Office Box 605
Route 113
(856-1445)

Clerk of the Court
Barbara E. Adams

Presentence Officer
Wanda Black

COURT 4

Post Office Box 718
817 Norman Eskridge Highway
Seaford, DE 19973
(629-8101)

Clerk of the Court
Mary Lee Lowe

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

COURT 13
Elbert N. Carvel Delaware State Bldg.
820 North French Street
Wilmington, DE 19801
(571-2550)

Clerk of the Court
Claire Lucas

COURT 14
Elbert N. Carvel Delaware State Bldg.
820 North French Streets
Wilmington, DE 19801
(571-2552)

Clerk of the Court
Margaret Kenney

COURT 15
716 Philadelphia Pike
Wilmington, DE 19801
(764-4142)

Clerk of the Court
Geraldine McLaughlin

COURT 18
Multi-Purpose Criminal Justice Facility
Post Office Box 9279
1301 East 12th Street
Wilmington, DE 19809
(429-7740, 429-7741)
Clerk of the Court

Edna Conner

KENT COUNTY

SUSSEX COUNTY

COURT 5
Post Office Box 254
248 South Rehoboth Boulevard
Milford, DE 19963
(422-5922)

Clerk of the Court
Leah Betts

COURT 17
Post Office Box 605
Route 113
Georgetown, DE 19947
(856-1447)

Clerk of the Court
Wanda Abbott

COURT 19
Post Office Box 718
817 Norman Eskridge Highway
Seaford, DE 19973
(629-5433)

Clerk of the Court
Ida Mae Friedel

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY CAPIAS CONTROL CENTER
Justice of the Peace Court No. 11
61 Christiana Road
New Castle, DE 19720
(323-4451)

Clerk of the Court
Gaile Kerrigan

KENT COUNTY CAPIAS CONTROL CENTER
Justice of the Peace Court No. 7
Post Office Box 1081
Railroad & Loockerman Streets
Dover, DE 19901
(736-4353)

Clerk of the Court
Rella Goodson

SUSSEX COUNTY CAPIAS CONTROL CENTER
Justice of the Peace Court No. 3
Post Office Box 605
Route 113
Georgetown, DE 19947
(856-5222)

Clerk of the Court
Shirley Johnson

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986
CRIMINAL AND TRAFFIC CASES*
WORKLOAD SUMMARY

	Pending 6/30/85	Filings	Dispositions	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle County						
Court 9	6	5,435	5,422	19	+ 13	+216.7%
Court 10	135	22,391	22,465	61	- 74	- 54.8%
Court 11	906	40,837	39,776	1,967	+1,061	+117.1%
Court 14**	0	0	0	0	0	-
Court 15	0	14,815	14,815	0	0	-
Court 18	0	3,827	3,827	0	0	-
Kent County						
Court 6	0	6,329	6,322	7	+ 7	-
Court 7	330	25,061	24,939	452	+ 122	+ 37.0%
Court 8	181	2,783	2,789	175	- 6	- 3.3%
Sussex County						
Court 1	5	2,866	2,867	4	- 1	- 20.0%
Court 2	1,759	14,734	14,030	2,463	+ 704	+ 40.0%
Court 3	197	12,663	12,638	222	+ 25	+ 12.7%
Court 4	99	12,760	12,803	56	- 43	- 43.4%
Court 5	62	2,526	2,519	69	+ 7	+ 11.3%
State	3,680	167,027	165,212	5,495	+1,815	+ 49.3%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS

FILINGS

	Title 7 Fish/Game		Title 11 Criminal		Title 21 Traffic		Miscellaneous		TOTALS	
New Castle County										
Court 9	179	3.3%	152	2.8%	4,933	90.8%	171	3.1%	5,435	100.0%
Court 10	467	2.1%	3,336	14.9%	17,159	76.6%	1,429	6.4%	22,391	100.0%
Court 11	458	1.1%	8,223	20.1%	29,568	72.4%	2,588	6.3%	40,837	100.0%
Court 14**	0	-	0	-	0	-	0	-	0	-
Court 15	172	1.2%	1,244	8.4%	13,399	90.4%	0	0.0%	14,815	100.0%
Court 18	0	0.0%	2,984	78.0%	302	7.9%	541	14.1%	3,827	100.0%
Kent County										
Court 6	29	0.5%	436	6.9%	5,696	90.0%	168	2.6%	6,329	100.0%
Court 7	383	1.5%	4,487	17.9%	18,854	75.2%	1,337	5.3%	25,061	100.0%
Court 8	58	2.1%	360	12.9%	2,273	81.7%	92	3.3%	2,783	100.0%
Sussex County										
Court 1	155	5.4%	422	14.7%	2,203	76.9%	86	3.0%	2,866	100.0%
Court 2	127	0.9%	671	4.6%	13,827	93.8%	109	0.7%	14,734	100.0%
Court 3	89	0.7%	4,218	33.3%	8,039	63.5%	317	2.5%	12,663	100.0%
Court 4	141	1.1%	1,320	10.3%	11,145	87.4%	154	1.2%	12,760	100.0%
Court 5	38	1.5%	589	23.3%	1,820	72.1%	79	3.1%	2,526	100.0%
State	2,296	1.4%	28,442	17.0%	129,218	77.4%	7,071	4.2%	167,027	100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS (CONTINUED)

DISPOSITIONS

	Title 7 Fish/Game		Title 11 Criminal		Title 21 Traffic		Miscellaneous		TOTALS	
New Castle County										
Court 9	173	3.2%	147	2.7%	4,932	91.0%	170	3.1%	5,422	100.0%
Court 10	546	2.4%	3,167	14.1%	17,351	77.3%	1,401	6.2%	22,465	100.0%
Court 11	465	1.2%	7,945	20.0%	28,958	72.8%	2,408	6.0%	39,776	100.0%
Court 14**	0	-	0	-	0	-	0	-	0	-
Court 15	172	1.2%	1,244	8.4%	13,399	90.4%	0	0.0%	14,815	100.0%
Court 18	0	0.0%	2,984	78.0%	302	7.9%	541	14.1%	3,827	100.0%
Kent County										
Court 6	29	0.5%	436	6.9%	5,689	90.0%	168	2.7%	6,322	100.0%
Court 7	381	1.5%	4,466	17.9%	18,753	75.2%	1,339	5.4%	24,939	100.0%
Court 8	58	2.1%	368	13.2%	2,274	81.5%	89	3.2%	2,789	100.0%
Sussex County										
Court 1	152	5.3%	419	14.6%	2,210	77.1%	86	3.0%	2,867	100.0%
Court 2	112	0.8%	576	4.1%	13,244	94.4%	98	0.7%	14,030	100.0%
Court 3	88	0.7%	4,190	33.2%	8,042	63.6%	318	2.5%	12,638	100.0%
Court 4	151	1.2%	1,349	10.5%	11,148	87.1%	155	1.2%	12,803	100.0%
Court 5	37	1.5%	577	22.9%	1,826	72.5%	79	3.1%	2,519	100.0%
State	2,364	1.4%	27,868	16.9%	128,128	77.6%	6,852	4.1%	165,212	100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS

CHANGE IN PENDING

	Title 7 Fish/Game	Title 11 Criminal	Title 21 Traffic	Miscellaneous	TOTALS
New Castle County					
Court 9	+ 6	+ 5	+ 1	+ 1	+ 13
Court 10	- 79	+169	-192	+ 28	- 74
Court 11	- 7	+278	+610	+180	+1,061
Court 14**	0	0	0	0	0
Court 15	0	0	0	0	0
Court 18	0	0	0	0	0
Kent County					
Court 6	0	0	+ 7	0	+ 7
Court 7	+ 2	+ 21	+101	- 2	+ 122
Court 8	0	- 8	- 1	+ 3	- 6
Sussex County					
Court 1	+ 3	+ 3	- 7	0	- 1
Court 2	+ 15	+ 95	+583	+ 11	+ 704
Court 3	+ 1	+ 28	- 3	- 1	+ 25
Court 4	- 10	- 29	- 3	- 1	- 43
Court 5	+ 1	+ 12	- 6	0	+ 7
State	- 68	+574	+1,090	+219	+1,815

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986
CRIMINAL AND TRAFFIC CASES*
TYPES OF DISPOSITIONS

	By Mail-In Fine		By Court Appearance		By Counsel Appearance		TOTALS	
New Castle County								
Court 9	4,232	78.1%	1,096	20.2%	94	1.7%	5,422	100.0%
Court 10	10,503	46.8%	11,108	49.4%	854	3.8%	22,465	100.0%
Court 11	15,323	38.5%	22,375	56.3%	2,078	5.2%	39,776	100.0%
Court 14**	0	-	0	-	0	-	0	-
Court 15	7,325	49.4%	7,490	50.6%	0	0.0%	14,815	100.0%
Court 18	0	0.0%	3,827	100.0%	0	0.0%	3,827	100.0%
Kent County								
Court 6	5,016	79.3%	1,263	20.0%	43	0.7%	6,322	100.0%
Court 7	11,692	46.9%	12,708	50.9%	539	2.2%	24,939	100.0%
Court 8	1,490	53.4%	1,202	43.1%	97	3.5%	2,789	100.0%
Sussex County								
Court 1	1,804	62.9%	1,052	36.7%	11	0.4%	2,867	100.0%
Court 2	10,075	71.8%	3,955	28.2%	0	0.0%	14,030	100.0%
Court 3	4,507	35.7%	8,131	64.3%	0	0.0%	12,638	100.0%
Court 4	7,651	59.8%	5,152	40.2%	0	0.0%	12,803	100.0%
Court 5	903	35.8%	1,594	63.3%	22	0.9%	2,519	100.0%
State	80,521	48.7%	80,953	49.0%	3,738	2.3%	165,212	100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1985-1986
CRIMINAL AND TRAFFIC CASES*
WORKLOAD

	FILINGS				DISPOSITIONS			
	1985	1986	Change	% Change	1985	1986	Change	% Change
New Castle County								
Court 9	3,034	5,435	+2,401	+79.1%	3,039	5,422	+ 2,383	+78.4%
Court 10	20,496	22,391	+1,895	+ 9.2%	20,475	22,465	+ 1,990	+ 9.7%
Court 11	35,949	40,837	+4,888	+13.6%	37,238	39,776	+ 2,538	+ 6.8%
Court 14**	0	0	0	-	0	0	0	-
Court 15	14,052	14,815	+ 763	+ 5.4%	14,052	14,815	+ 763	+ 5.4%
Court 18	3,545	3,827	+ 282	+ 7.9%	3,545	3,827	+ 282	+ 7.9%
Kent County								
Court 6	4,346	6,329	+1,983	+45.6%	4,347	6,322	+ 1,975	+45.4%
Court 7	22,189	25,061	+2,872	+12.9%	22,127	24,939	+ 2,812	+12.7%
Court 8	3,086	2,783	- 303	- 9.8%	3,095	2,789	- 306	- 9.9%
Sussex County								
Court 1	2,478	2,866	+ 388	+15.7%	2,475	2,867	+ 392	+15.8%
Court 2	12,071	14,734	+2,663	+22.1%	11,652	14,030	+ 2,378	+20.4%
Court 3	11,682	12,663	+ 981	+ 8.4%	11,664	12,638	+ 974	+ 8.4%
Court 4	11,975	12,760	+ 785	+ 6.6%	11,948	12,803	+ 855	+ 7.2%
Court 5	3,019	2,526	- 493	-16.3%	2,974	2,519	- 455	-15.3%
State	147,922	167,027	+19,105	+12.9%	148,631	165,212	+16,581	+11.2%

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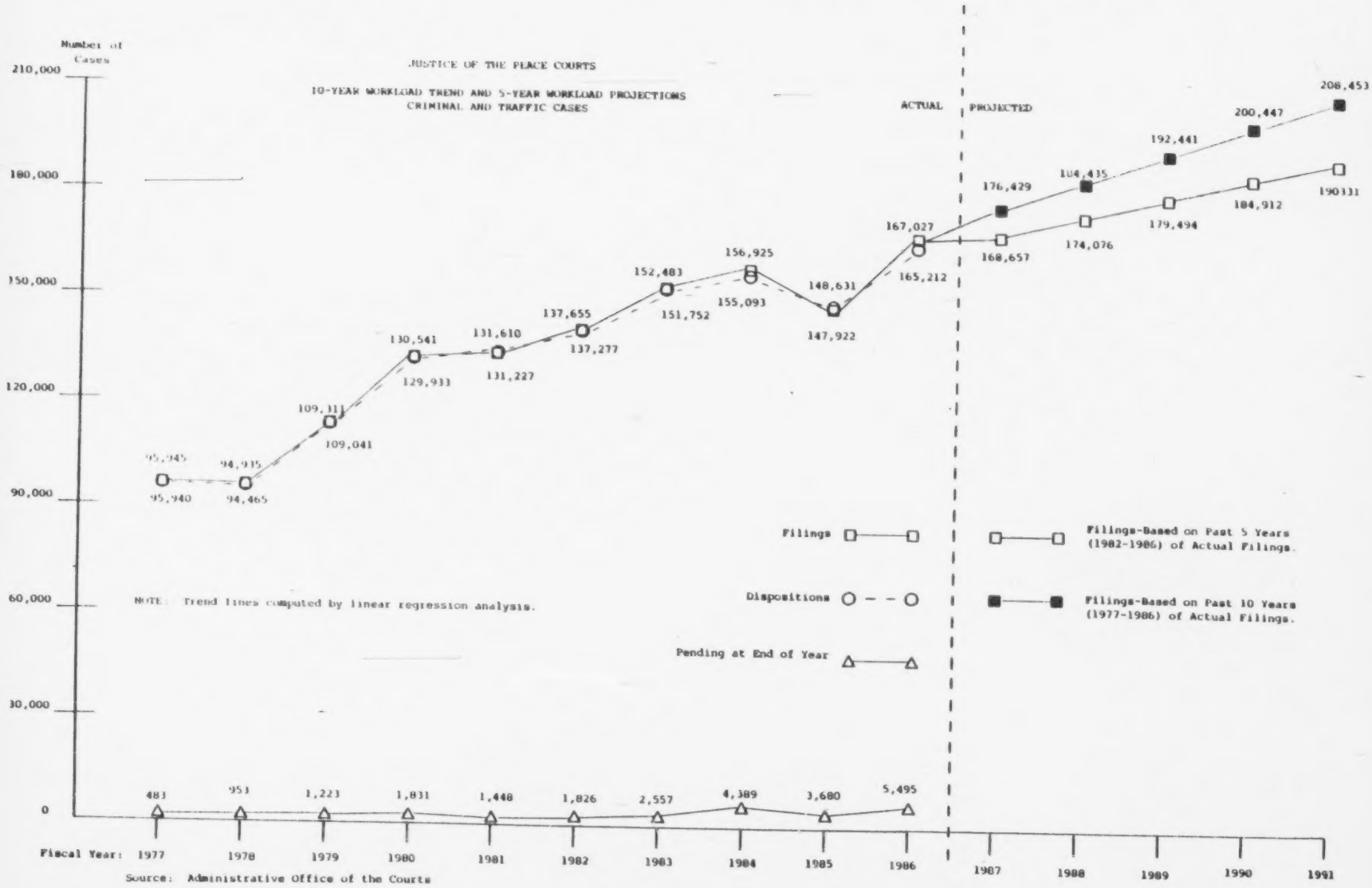
**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts



Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/85	Filings	Dispositions	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle County						
Court 9	5	418	401	22	+ 17	+340.0%
Court 12	1,465	7,594	7,770	1,289	- 176	- 12.0%
Court 13	1,073	7,777	7,841	1,009	- 64	- 6.0%
Kent County						
Court 6	26	665	671	20	- 6	- 23.1%
Court 16	2,544	3,610	4,616	1,538	-1,006	- 39.5%
Court 8	119	397	476	40	- 79	- 66.4%
Sussex County						
Court 1	43	680	683	40	- 3	- 7.0%
Court 2	1,143	514	458	1,199	+ 56	+ 4.9%
Court 17	156	1,599	1,589	166	+ 10	+ 6.4%
Court 19	134	1,368	1,308	194	+ 60	+ 44.8%
Court 5	244	1,333	1,419	158	- 86	- 35.2%
State	6,952	25,955	27,232	5,675	-1,277	- 18.4%

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986
CIVIL CASES
WORKLOAD BREAKDOWNS

	FILINGS						DISPOSITIONS					
	Complaints		Landlord/Tenant		TOTALS		Complaints		Landlord/Tenant		TOTALS	
New Castle County												
Court 9	333	79.7%	85	20.3%	418	100.0%	319	79.6%	82	20.4%	401	100.0%
Court 12	5,250	69.1%	2,344	30.9%	7,594	100.0%	5,477	70.5%	2,293	29.5%	7,770	100.0%
Court 13	4,991	64.2%	2,786	35.8%	7,777	100.0%	5,445	69.4%	2,396	30.6%	7,841	100.0%
Kent County												
Court 6	568	85.4%	97	14.6%	665	100.0%	588	87.6%	83	12.4%	671	100.0%
Court 16	3,074	85.1%	536	14.9%	3,610	100.0%	4,144	89.8%	472	10.2%	4,616	100.0%
Court 8	362	91.2%	35	8.8%	397	100.0%	434	91.2%	42	8.8%	476	100.0%
Sussex County												
Court 1	494	72.6%	186	27.4%	680	100.0%	497	27.2%	186	72.8%	683	100.0%
Court 2	360	70.0%	154	30.0%	514	100.0%	317	69.2%	141	30.8%	458	100.0%
Court 17	1,521	95.1%	78	4.9%	1,599	100.0%	1,514	95.3%	75	4.7%	1,589	100.0%
Court 19	1,108	81.0%	260	19.0%	1,368	100.0%	1,054	80.6%	254	19.4%	1,308	100.0%
Court 5	1,315	98.6%	18	1.4%	1,333	100.0%	1,394	98.2%	25	1.8%	1,419	100.0%
State	19,376	74.7%	6,579	25.3%	25,955	100.0%	21,183	77.8%	6,049	22.2%	27,232	100.0%

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986
CIVIL CASES
WORKLOAD BREAKDOWNS (CONTINUED)

CHANGE IN PENDING

	Complaints	Landlord/Tenant	TOTALS
New Castle County			
Court 9	+ 14	+ 3	+ 17
Court 12	- 227	+ 51	- 176
Court 13	- 454	+ 390	- 64
Kent County			
Court 6	- 20	+ 14	- 6
Court 16	-1,070	+ 64	-1,006
Court 8	- 72	- 7	- 79
Sussex County			
Court 1	- 3	0	- 3
Court 2	+ 43	+ 13	+ 56
Court 17	+ 7	+ 3	+ 10
Court 19	+ 54	+ 6	+ 60
Court 5	- 79	- 7	- 86
State	-1,807	+ 530	-1,277

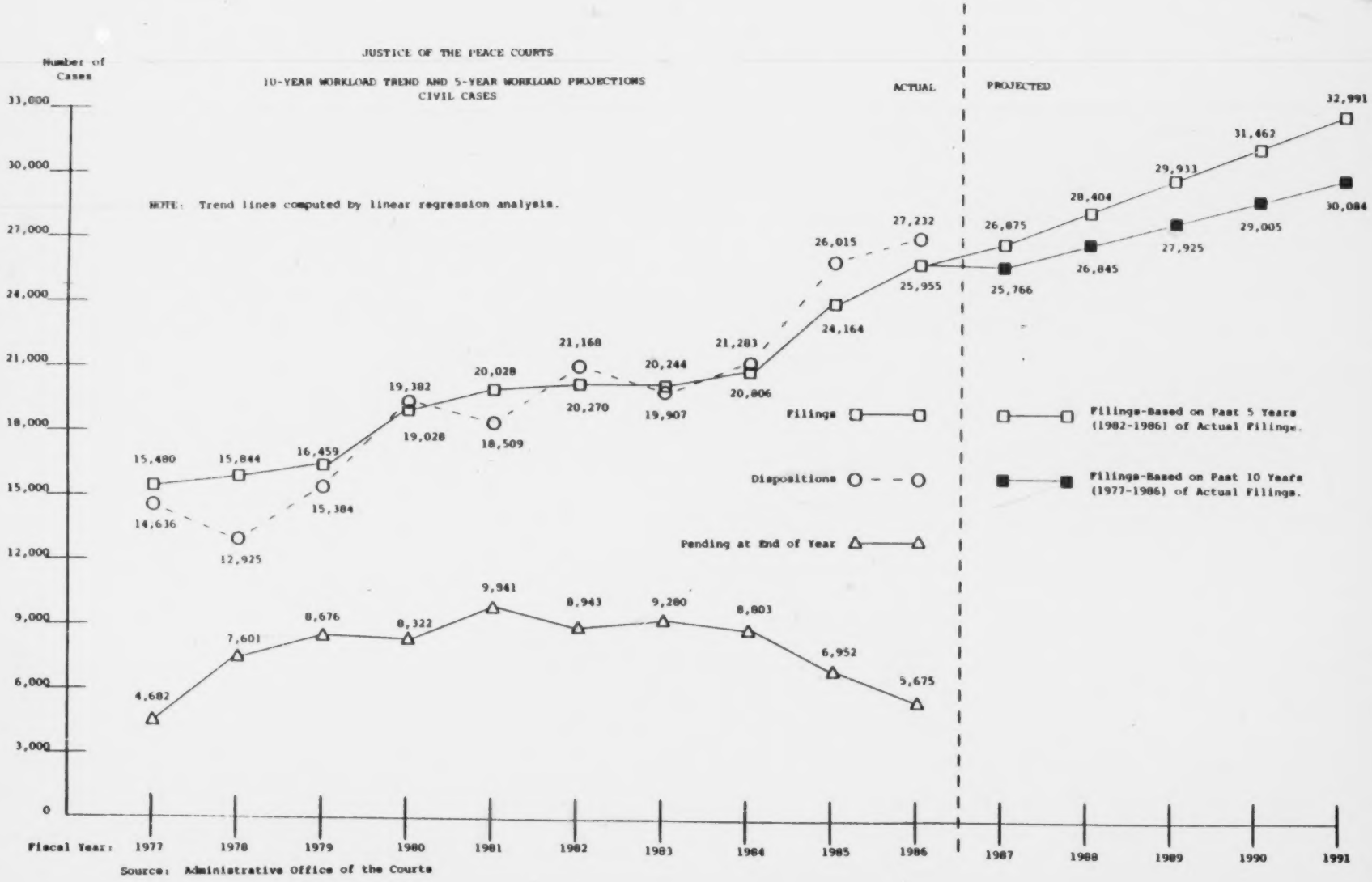
Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1985-1986
CIVIL CASES
WORKLOAD

	FILINGS				DISPOSITIONS			
	1985	1986	Change	% Change	1985	1986	Change	% Change
New Castle County								
Court 9	234	418	+ 184	+ 78.6%	236	401	+ 165	+ 69.9%
Court 12	6,433	7,594	+1,161	+ 18.1%	7,543	7,770	+ 227	+ 3.0%
Court 13	8,055	7,777	- 278	- 3.5%	8,863	7,841	-1,022	- 11.5%
Kent County								
Court 6	711	665	- 46	- 6.5%	724	671	- 53	- 7.3%
Court 16	3,377	3,610	+ 233	+ 6.9%	3,533	4,616	+1,083	+ 30.7%
Court 8	502	397	- 105	- 20.9%	531	476	- 55	- 10.4%
Sussex County								
Court 1	491	680	+ 189	+ 38.5%	472	683	+ 211	+ 44.7%
Court 2	469	514	+ 45	+ 9.6%	371	458	+ 87	+ 23.5%
Court 17	1,634	1,599	- 35	- 2.1%	1,667	1,589	- 78	- 4.7%
Court 19	1,034	1,368	+ 334	+ 32.3%	959	1,308	+ 349	+ 36.4%
Court 5	1,224	1,333	+ 109	+ 8.9%	1,116	1,419	+ 303	+ 27.2%
State	24,164	25,955	+1,791	+ 7.4%	26,015	27,232	+1,217	+ 4.7%

Source: Chief Magistrate's Office, Justice of the Peace Courts



Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

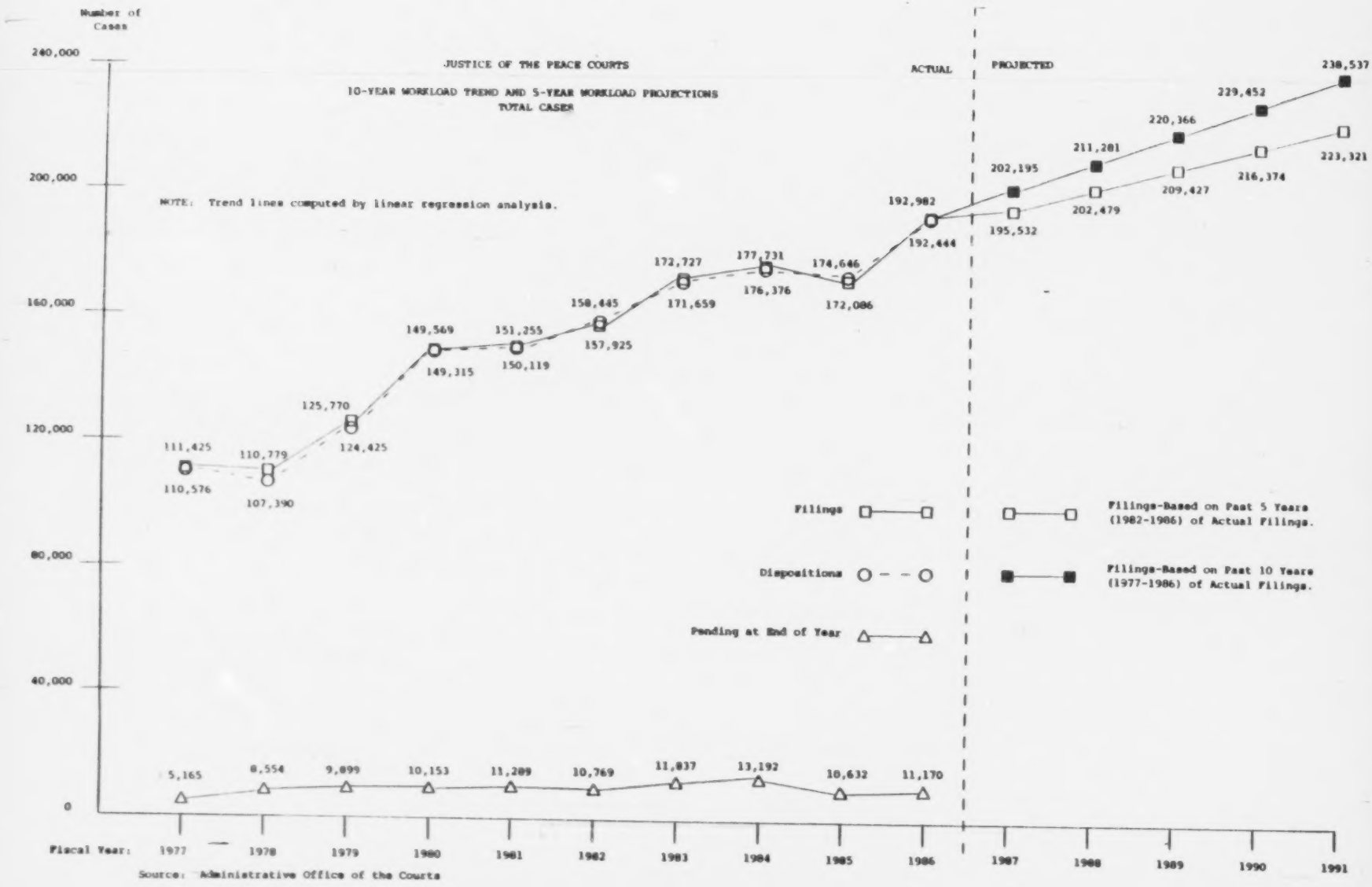
FISCAL YEAR 1986
RANKINGS IN ORDER OF TOTAL CASES FILED

Rank	Court	Total Number of Cases Filed*	Percentage of Total	FY 1985 Rank
1	11	40,837	21.2%	1
2	7	25,061	13.0%	2
3	10	22,391	11.6%	3
4	2	15,248	7.9%	5
5	15	14,815	7.7%	4
6	4	12,760	6.6%	6
7	3	12,663	6.6%	7
8	13	7,777	4.0%	8
9	12	7,594	3.9%	9
10	6	6,994	3.6%	10
11	9	5,853	3.0%	15
12	5	3,859	2.0%	11
13	18	3,827	2.0%	13
14	16	3,610	1.9%	14
15	1	3,546	1.8%	16
16	8	3,180	1.7%	12
17	17	1,599	0.8%	17
18	19	1,368	0.7%	18
19	14**	0	0.0%	19
	State	192,982	100.0%	

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts



Source: Administrative Office of the Courts

Alderman's Courts

ALDERMAN'S COURTS

Legal Authorization

Alderman's Courts are authorized by the town charters of their respective towns.

Geographic Organization

Alderman's Courts have jurisdiction only within their own town limits. There were 13 active Alderman's or Mayor's Courts during FY 1986; 5 in New Castle County and 8 in Sussex County. When a town is without a court or an alderman for any period of time, its cases are transferred to the nearest Justice of the Peace Court.

Legal Jurisdiction

The jurisdiction of an Alderman's Court is limited to minor misdemeanors, traffic offenses, parking violations, and minor civil matters. The specific jurisdiction of each court varies with the town charter (which is approved by the State Legislature). Appeals are taken de novo to Superior Court within 15 days of the trial.

Aldermen

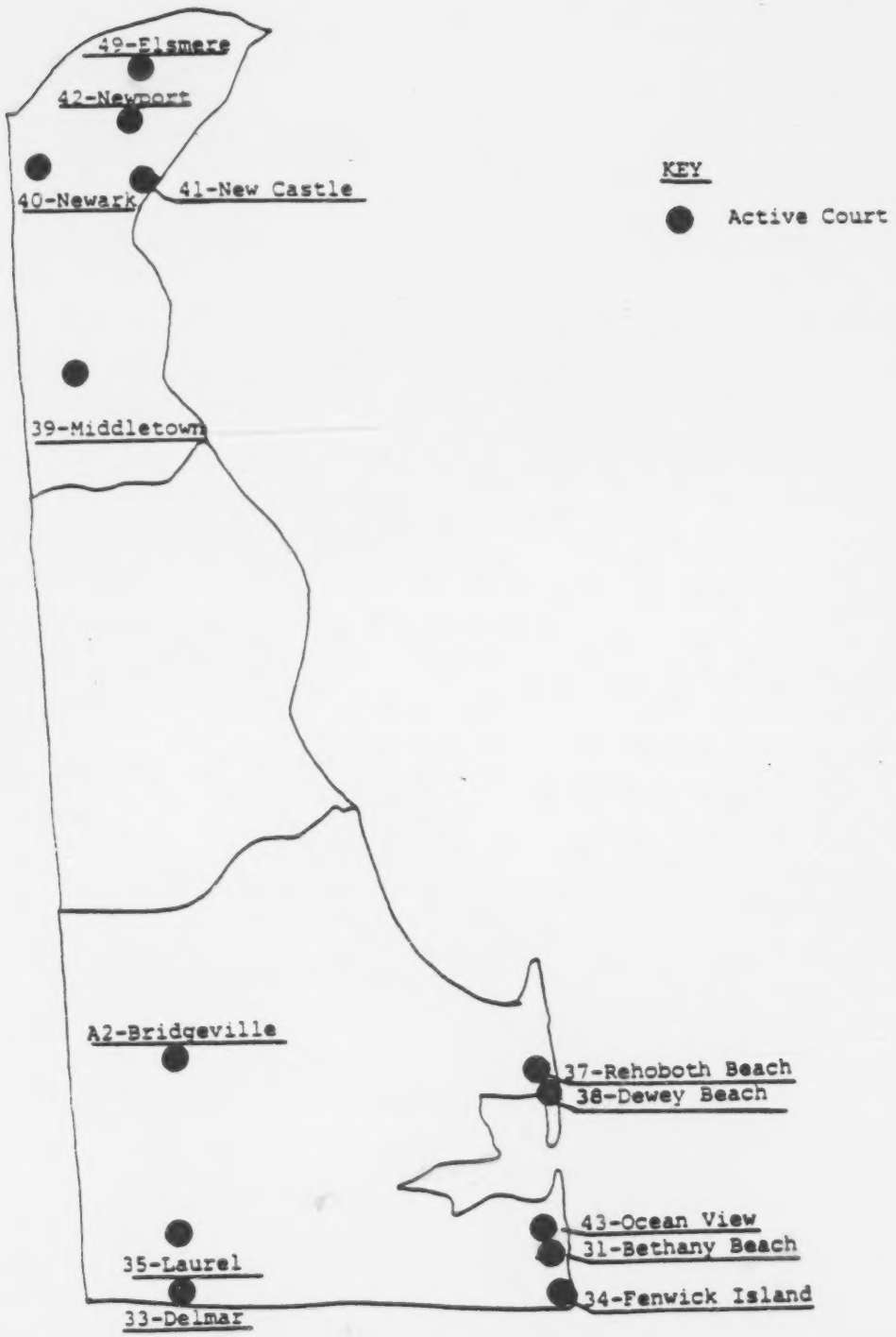
The selection, number, tenure, and qualifications of aldermen are determined by the towns themselves. Some require lawyers while others choose ordinary citizens. A few aldermen serve full-time, while some are part-time judges. In New Castle, the mayor serves as judge of their court.

Caseload Trend

Total statewide filings in the Alderman's Courts rose by 17.9% to 24,620 during FY 1986 from 20,877 in FY 1985. There was a 16.2% rise in total statewide dispositions for the Alderman's Courts from 20,514 in FY 1985 to 23,828 in FY 1986.

Information on total pending for Alderman's Courts began for FY 1980 and has risen during each fiscal year. FY 1986 was no exception as there was a 20.8% increase from 3,806 total pending at the end of FY 1985 to 4,598 total pending at the end of FY 1986.

ALDERMAN'S COURTS IN DELAWARE



ALDERMAN'S COURTS

ALDERMEN

NEW CASTLE COUNTY

Elsmere
Hon. Edward F. Doyle, Jr., Mayor

Middletown
Vacant, Alderman

Newark
Hon. Thomas B. Ferry, Chief Alderman of Delaware
Hon. Michael B. Joseph, Deputy Alderman

New Castle
Hon. John F. Klingmeyer, Mayor

Newport
Hon. Annette Leech, Alderman

KENT COUNTY

SUSSEX COUNTY

Bethany Beach
Hon. J. Joseph Tansey, Alderman
Hon. Harold Britton Barber, Assistant Alderman

Brideville
Hon. Constance H. Collins, Alderman
Hon. F. Eugene Crockett, Assisant Alderman

Delmar
Hon. Linda H. Walmsley, Aldermen

Dewey Beach
Hon. James C. Pope, II, Alderman
Hon. Albert C. Gibson, Alderman

Fenwick Island
Hon. Richard A. Barton, Chief Deputy Alderman of Delaware

Laurel
Hon. Edward Walmsley, Jr., Alderman
Hon. Linda H. Walmsley, Assistant Alderman

Ocean View
Hon. Marilyn F. Denny, Alderman

Rehoboth Beach
Hon. Michael J. DeFiore, Alderman
Vacant, Assistant Alderman

ALDERMAN'S COURTS

SUPPORT PERSONNEL

NEW CASTLE COUNTY

ELSMERE
Mayor's Court 49
11 Poplar Avenue
Elsmere, DE 19805
(998-2215)

Executive Secretary
Dee J. Russler

MIDDLETOWN
Alderman's Court 39
P.O. Box 227
216 N. Broad Street
Middletown, DE 19709
(834-5015)

NEWARK
Alderman's Court 40
220 Elkton Road
P.O. Box 390
Newark, DE 19715
(366-7028, 366-7029)

Clerk of the Court
Margaret B. Nelson

Clerk Typists
Betty Hales
Kathleen R. Wright
Donna Mooyman (part-time)
Kathryn Conner (part-time)

KENT COUNTY

SUSSEX COUNTY

BETHANY BEACH
Alderman's Court 31
P.O. Box 109
Bethany Beach, DE 19930
(539-8011)

BRIDGEVILLE
Alderman's Court 32
101 N. Main Street
Bridgeville, DE 19933
(337-7371)

DELMAR
Alderman's Court 33
P.O. Box 398
Delmar, DE 19940
(846-2138)

DEWEY BEACH
Alderman's Court 36
Town Hall
105 Rodney Street
Dewey Beach, DE 19971
(227-6363)

FENWICK ISLAND
Alderman's Court 34
Town Hall
Fenwick Island, DE 19944
(539-3011)

ALDERMAN'S COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

NEW CASTLE
Mayor's Court 41
220 Delaware Street
New Castle, DE 19720
(322-9802)

Court Clerk
P. M. DiEmidio

NEWPORT
Alderman's Court 42
15 N. Augustine Street
P.O. Box 3053
Newport, DE 19804
(998-2707)

KENT COUNTY

SUSSEX COUNTY

LAUREL
Alderman's Court 35
P.O. Box 210
Laurel, DE 19956
(875-2855)

Court Clerk
Linda H. Walmsley

OCEAN VIEW
Alderman's Court 43
Town Hall
Oakwood Avenue
P.O. Box 3
Ocean View, DE 19970
(539-9797)

REHOBOTH BEACH
Alderman's Court 37
P.O. Box C
Rehoboth Beach, DE 19971
(227-7917)

ALDERMAN'S COURT

FISCAL YEAR 1986
TOTAL CASES*
WORKLOAD SUMMARY

Court	Pending 6/30/85	Filings	Dispositions	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle County						
Elsmere**	44	2,635	2,557	122	+ 78	+177.3%
Middletown	99	1,029	1,013	155	+ 16	+ 16.2%
Newark	2,496	7,068	6,875	2,689	+193	+ 7.7%
New Castle	1	1,026	1,027	0	- 1	-100.0%
Newport**	541	2,687	2,794	434	-107	- 19.8%
Sussex County						
Bethany Beach	241	1,620	1,542	319	+ 78	+ 32.4%
Bridgeville	0	2,881	2,682	199	+199	-
Delmar	96	449	439	106	+ 10	+ 10.4%
Dewey Beach	0	1,228	804	424	+424	-
Fenwick Island	0	1,158	1,158	0	0	-
Laurel	123	942	963	102	- 21	- 17.1%
Ocean View	0	157	157	0	0	-
Rehoboth Beach	165	1,740	1,817	88	- 77	- 46.7%
TOTALS	3,806	24,620	23,828	4,598	+792	+ 20.8%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

**The Elsmere Court and the Newport Court only collect fines for traffic cases and do not actually try the case.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1986
CRIMINAL CASES*
WORKLOAD SUMMARY

Court	Pending 6/30/85	Filings	Dispositions	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle County						
Elsmere	0	0	0	0	0	-
Middletown	4	68	70	2	- 2	- 50.0%
Newark	853	1,837	1,740	950	+ 97	+ 11.4%
New Castle	0	2	2	0	0	-
Newport	0	0	0	0	0	-
Sussex County						
Bethany Beach	28	68	75	21	- 7	- 25.0%
Bridgeville	0	179	168	11	+ 11	-
Delmar	14	31	22	23	+ 9	+ 64.3%
Dewey Beach	0	367	188	179	+179	-
Fenwick Island	0	96	96	0	0	-
Laurel	27	154	159	22	- 5	- 18.5%
Ocean View	0	0	0	0	0	-
Rehoboth Beach	0	304	302	2	+ 2	-
TOTALS	926	3,106	2,822	1,210	+284	+ 30.7%

*The unit of count for criminal cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1986
TRAFFIC CASES*
WORKLOAD SUMMARY

Court	Pending 6/30/85	Filings	Dispositions	Pending 6/30/86	Change In Pending	% Change In Pending
New Castle County						
Elsmere**	44	2,635	2,557	122	+ 78	+177.3%
Middletown	95	961	943	113	+ 18	+ 19.0%
Newark	1,643	5,231	5,135	1,739	+ 96	+ 5.8%
New Castle	1	1,024	1,025	0	- 1	-100.0%
Newport**	541	2,687	2,794	434	-107	- 19.8%
Sussex County						
Bethany Beach	213	1,552	1,467	298	+ 85	+ 39.9%
Bridgeville	0	2,702	2,514	188	+188	-
Delmar	82	418	417	83	+ 1	+ 1.2%
Dewey Beach	0	861	616	245	+245	-
Fenwick Island	0	1,062	1,062	0	0	-
Laurel	96	788	804	80	- 16	- 16.7%
Ocean View	0	157	157	0	0	-
Rehoboth Beach	165	1,436	1,515	86	- 79	- 47.9%
TOTALS	2,880	21,514	21,006	3,388	+508	+ 17.6%

*The unit of count in traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 defendants.

**The Elsmere Court and the Newport Court only collect fines for traffic cases and do not actually try the case.

Source: Alderman's Courts

ALDERMAN'S COURTS

COMPARISON - FISCAL YEARS 1985-1986
TOTAL CASES
WORKLOAD

Court	Number of Dispositions* 1985	1986	Change	% Change
New Castle County				
Elsmere**	1,451	2,557	+1,106	+ 76.2%
Middletown	1,047	1,013	- 34	- 3.3%
Newark	7,718	6,875	- 843	- 10.9%
New Castle	832	1,027	+ 195	+ 23.4%
Newport**	2,794	2,794	0	0.0%
Sussex County				
Bethany Beach	1,305	1,542	+ 237	+ 18.2%
Bridgeville	1,483	2,682	+1,199	+ 80.8%
Delmar	440	439	- 1	- 0.2%
Dewey Beach#	0	804	+ 804	-
Fenwick Island	872	1,158	+ 286	+ 32.8%
Laurel	883	963	+ 80	+ 9.1%
Ocean View	401	157	- 244	- 60.8%
Rehoboth Beach	1,288	1,817	+ 529	+ 41.1%
TOTALS	20,514	23,828	+3,314	+ 16.2%

*The unit of count in criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

**The Elsmere Court and the Newport Court collect fines for traffic cases and do not actually try the case.

#Dewey Beach Court activated in 7/85.

Source: Alderman's Courts

ALDERMAN'S COURTS

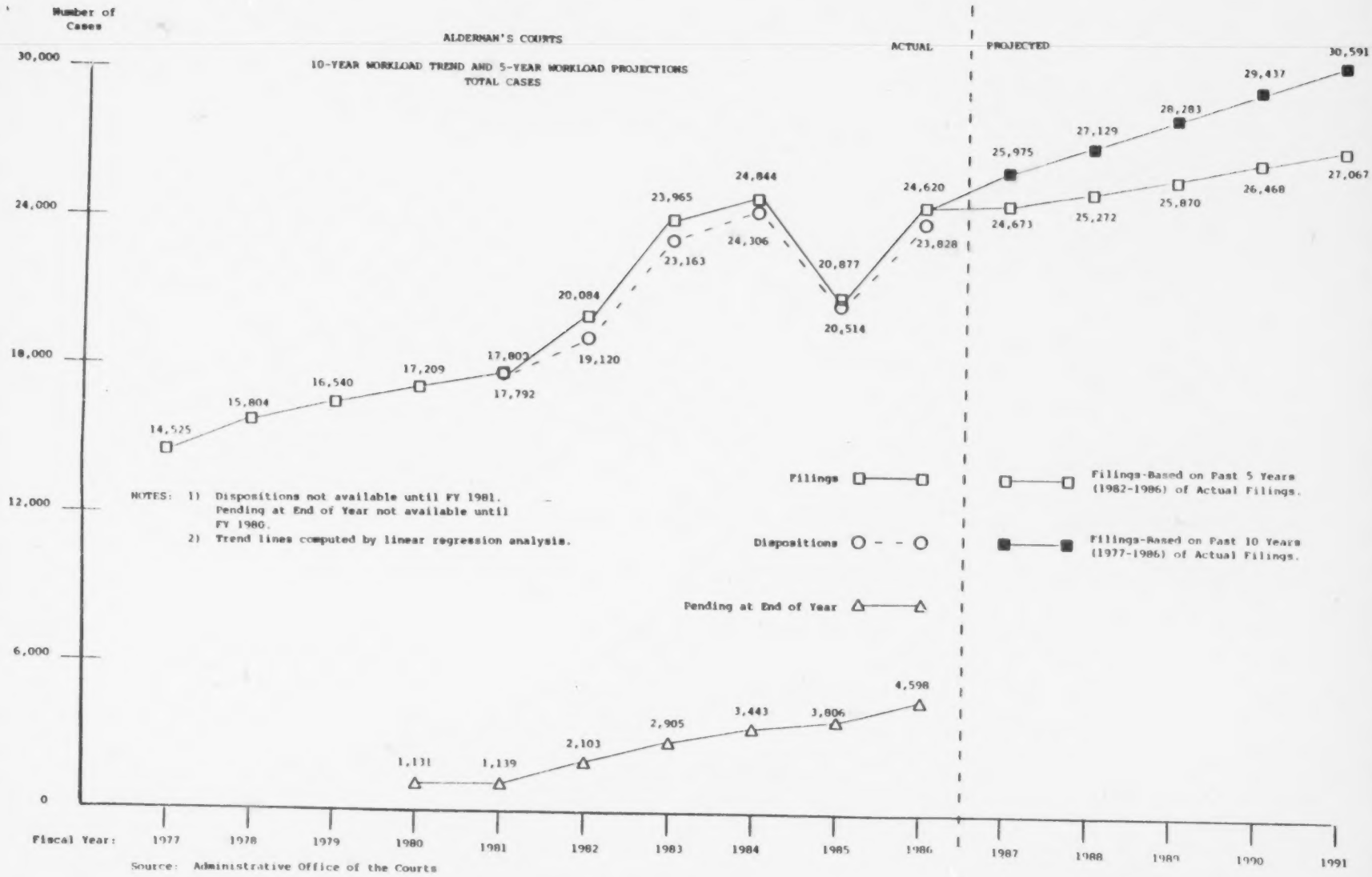
FISCAL YEAR 1986
RANKINGS IN ORDER OF TOTAL CASES FILED

Rank		Total Number of Filings*	Percentage of Total	FY 1985 Rank
1	Newark	7,068	28.7%	1
2	Bridgeville	2,881	11.7%	3
3	Newport**	2,687	10.9%	2
4	Elsmere**	2,635	10.7%	4
5	Rehoboth Beach	1,740	7.1%	5
6	Bethany Beach	1,620	6.6%	6
7	Dewey Beach	1,228	5.0%	-
8	Fenwick Island	1,158	4.7%	9
9	Middletown	1,029	4.2%	7
10	New Castle	1,026	4.2%	10
11	Laurel	942	3.8%	8
12	Delmar	449	1.8%	11
13	Ocean View	157	0.6%	12
	TOTALS	24,620	100.0%	

*The unit of count for criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

**The Elsmere Court and the Newport Court only collect fines for traffic cases and do not actually try the case.

Source: Alderman's Courts


Number of Cases
ALDERMAN'S COURTS
10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TOTAL CASES
ACTUAL
PROJECTED
30,000
24,000
18,000
12,000
6,000
0
14,525
15,804
16,540
17,209
17,803
20,084
23,965
24,844
20,877
24,620
17,792
19,120
23,163
24,306
20,514
23,828
25,975
27,129
28,283
29,437
30,591
24,673
25,272
25,870
26,468
27,067
1,131
1,139
2,103
2,905
3,443
3,806
4,598
Filings
Dispositions
Pending at End of Year
Filings-Based on Past 5 Years (1982-1986) of Actual Filings.
Filings-Based on Past 10 Years (1977-1986) of Actual Filings.
NOTES: 1) Dispositions not available until FY 1981. Pending at End of Year not available until FY 1980.
2) Trend lines computed by linear regression analysis.
Fiscal Year: 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991
Source: Administrative Office of the Courts

Violent Crimes Compensation Board

VIOLENT CRIMES COMPENSATION BOARD

LEGAL AUTHORIZATION

The Violent Crimes Compensation Board is authorized by 11 Delaware Code, Chapter 90.

PURPOSE

It is the purpose of the Violent Crimes Compensation Board to "promote the public welfare by establishing a means of meeting the additional hardships imposed upon the innocent victims of certain crimes and the family and dependents of those victims." Compensation is available to meet the added burden which sometimes face the innocent crime victim up to a maximum of $20,000. The minimum award is $25, though in dire hardship cases the minimum loss may be waived. The Board receives a 15% penalty assessment which, by law, is added onto every state fine, penalty and forfeiture. These monies are deposited into the "Victim's Compensation Fund" for use when needed. The fund is also replenished through court ordered restitution. With the passage of "The Victims of Crime Act of 1984", Delaware's Violent Crimes Compensation Board receives reimbursement for 35% of the amount paid out in claims from the state's victim compensation fund for the previous federal fiscal year.

GEOGRAPHIC ORGANIZATION

The Board is responsible for handling requests for compensation throughout the State of Delaware. Hearings on these requests may be held anywhere in the State at the convenience of the victim, with the Administrative Office of the Violent Crimes Compensation Board located in Wilmington.

PERSONNEL

The Violent Crimes Compensation Board consists of five members: a chairman, a vice-chairman and three additional Board members. Each member is appointed by the Governor and must be approved by the Senate before serving on the Board. The term of each Board member is three years as long as no more than two members have their terms expire at the end of any given year. The Board may appoint an Executive Secretary and other employees as needed up to a maximum of five at any one time. The Board currently employs an Executive Secretary, an administrative assistant, two claim investigators, and a secretary.

CASELOAD TREND

The revenue receipts of over $794,500 received from penalty assessments and court ordered restitution during FY 86 were deposited in the "Victim's Compensation Fund". The budget expenditures of roughly $828,600 are a combination of approximately $188,600 in administrative costs and $640,000 in award payments and revenue refunds. The Board has awarded over $3,454,800 through FY 1986 with actual award payments just under $2,814,500. The difference is due to awards granted but later reverted to the victim's fund because of payments made on medical accounts by various local insurance carriers. In FY 1986, the Board awarded over $732,100 but, due to budget limitations, paid out $640,000. The difference of $92,100 will be paid out in FY 1987.

VIOLENT CRIMES COMPENSATION BOARD

Suite 10
1500 East Newport Pike
Wilmington, Delaware 19804
(995-8383)

BOARD MEMBERS

Stephen L. Manista, Chairman (R, 1/20/88)
Leah W. Betts, Vice-Chairman (D, 8/6/86)
Edward S. Stansky (D, 6/30/87)
Saxton C. Lambertson (R, 5/30/88)
Charles H. Toliver, IV (R, 6/30/88)

SUPPORT PERSONNEL -

Executive Secretary
Oakley M. Banning, Jr.

Administrative Assistant
Ann L. DelNegro

Claim Investigators
Marcia A. Jenkins
Howard P. Wilson

Secretary
Barbara E. Weiss

Foster Care Review Board

FOSTER CARE REVIEW BOARD

Legal Authorization

The Foster Care Review Board is authorized by 31 Delaware Code, Chapter 38.

Purpose

The Board serves as a volunteer based monitoring system responsible for identifying and periodically reviewing Delaware's children placed in out-of-home foster care. Periodic reviews of children in out-of-home placement are conducted to ensure that continuing efforts are being made to obtain permanent homes for children, to provide stability in the lives of children who must be removed from their homes, and to emphasize the needs for a child's physical, mental and emotional growth in permanency planning. The Board must report annually to the Chief Justice of the Supreme Court, the General Assembly and the governor upon the effectiveness of its activities and is to make recommendations concerning resources, policies, and statutes which affect the goal of permanency for children at that time.

Geographic Organization

The Board is responsible for reviewing the placements of children throughout the State of Delaware and actual review sessions are conducted in Wilmington, Dover, Milford and Georgetown. The Administrative Office of the Board is located in Wilmington.

Personnel

42 citizen volunteers composed the Foster Care Review Board in FY 1986. Board members are appointed by the Governor and serve terms of not more than three years. Not more than a simple majority of the Board members may be members of either major political party. The Governor designates one member who serves at his pleasure as Chairman of the Board. The Board hires an Executive Director who may, in turn, employ additional support personnel.

Performance

The Board conducted 750 case reviews of children in foster care during FY 1986. The Board or its Executive Committee may petition Family Court for a judicial hearing when the Board believes there has been no progress towards achieving permanency for a child during a six-month period or when the placement agency disagrees with the Board's recommendation. The Board filed petitions for a judicial hearing on behalf of 44 foster children during FY 1986.

The Board's statewide inventory of children identified 830 foster children as of June, 1986. The Board's sample of children to be reviewed contained 442 children as of June, 1986, in accordance with existing statutory limitations that allowed the Board to conduct reviews for only 50% of the children in foster care. This limitation was lifted when Governor Michael N. Castle signed Senate Bill 432 on June 19, 1986. This legislation requires the Board's program be expanded so that 100% of the children in foster care are to be subject to the case review system by March 1, 1987.

FOSTER CARE REVIEW BOARD
7th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, Delaware 19801
(571-6000)

BOARD MEMBERS

Chairman
Shirley A. Cupery (D)

Vice-Chairmen
Nancy McKenna (D, 9/7/89)
Linda Burris (R, 10/31/87)

SUPPORT PERSONNEL

Executive Director
Barbara A. Brown

Staff Assistant
Andra D. Berry
Denise M. Jacono
Lynn J. Hale (part-time)
Deborah L. Simon (part-time)

Secretary
Charlotte J. Harris
Lorraine Kunz

Conferences & Councils

COURT ON THE JUDICIARY

Article IV, Section 37 of the Constitution of the State of Delaware created this Court, consisting of the Chief Justice and the Justices of the Supreme Court, the Chancellor of the Court of Chancery, and the President Judge of Superior Court.

Any judicial officer appointed by the Governor may be censured, removed, or retired by the Court on the Judiciary for willful misconduct in office, willful and persistent failure to perform duties, commission of an offense involving moral turpiture, other misconduct in violation of the Canons of Judicial Ethics, or permanent mental or physical disability interfering with the proper performance of these duties.

No censure, removal, or retirement can be effective until the judicial officer has been served with written charges and has had the opportunity to be heard in accordance with due process of law.

The Court on the Judiciary has the power to:

(a) summon witnesses to appear and testify under oath and to compel production of other evidence, and
(b) adopt rules establishing procedures for the investigation and trial of a judicial officer.

JUDICIAL CONFERENCE

Legal Authorization

The Judicial Conference is authorized by Supreme Court Rule 71.

Duties

The Judicial Conference studies the judicial business of the courts with a view towards improving the administration of justice in the State. The Conference also considers improvements in procedure, considers and recommends legislation, considers and implements the Canons of Judicial Ethics, holds symposia of Bench and Bar, and reviews continuing judicial education programs.

Membership

The membership of the Conference includes the Judges of the Supreme Court, Court of Chancery, Superior Court, Family Court, Court of Common Pleas, and the Municipal Court of Wilmington. The Chief Justice is presiding officer of the Conference. The Director of the Administrative Office of the Courts serves as secretary for the Conference. Scheduled meetings of the Conference are held on the first Wednesdays of December and June.

Legal Authorization

The Criminal Justice Council is authorized by 11 Delaware Code, Chapter 87.

Duties

The Council is charged with the continuous study of the administration of justice in the State, including the organization, procedure, practice, rules, and methods of administration and operation of each and all the courts of the State, whether of record or not of record. The Council collects and uses statistical and other information concerning the work of the courts and other criminal justice agencies and makes recommendations to the Governor, the General Assembly, the courts and/or the bar. The Council allocates federal block grant funds to various agencies for the improvement of the state criminal justice system.

Membership

The 19 members of the Council are: the Chief Justice, the President Judge of Superior Court, the Chief Judge of Family Court, the Chief Magistrate, the Attorney General, the Public Defender, the Commissioner for the Department of Correction, the Chief of the Bureau of Adult Correction, the Director of the Division of Youth Rehabilitation, the Chairman of the Board of Parole, the Superintendent of the State Police, the Chiefs' of Police for New Castle County and Wilmington, the Chairman of the Delaware Police Chiefs' Council, the Superintendent of Public Instruction, and four (4) at-large members selected by the Governor. The current members are as follows:

Hon. Andrew D. Christie, Chief Justice, Supreme Court
Hon. Albert J. Stiftel, President Judge, Superior Court
Hon. Robert D. Thompson, Chief Judge, Family Court
Hon. Norman A. Barron, Chief Magistrate, Justice of the Peace Courts
Charles M. Oberly, III, Attorney General
Lawrence M. Sullivan, Esq., Public Defender
John L. Sullivan, Commissioner, Department of Correction
Raymond Jones, Chief, Bureau of Adult Correction
Daniel W. Cox, Director, Division of Youth Rehabilitation
Oliver Casson, Chairman, Board of Parole
Col. Clifford Graviet, Superintendent, State Police
John McCarnan, Chief, New Castle County Police
Joseph Pennell, Chief, Wilmington Police
Donald McGinty, Vice-Chairman, Delaware Police Chiefs' Council
Dr. William B. Keene, Superintendent, Public Instruction
Carl Schnee, Esq., (Chairman), At-Large Member
James E. Liquori, Esq., At-Large Member
Ann Burton, At-Large Member
Robert C. Forney, At-Large Member

Legislation

LEGISLATION

The following select, court-related legislation was enacted during 1986 by the Delaware General Assembly.

SENATE

Senate Bill 21
Sponsors: Senator McBride; Representative Jonkiert.
Signed by the Governor 6/30/86.

This bill provides for the uniform enforcement of the Foreign Judgements Act.

Senate Bill 109
Sponsors: Senator Sharp; Representative Spence.
Signed by the Governor 7/9/86.

This bill reduces from 50 pounds the amount of marijuana necessary to trigger the provisions of the drug trafficking statute.

Senate Bill 171
Sponsors: Senators Berndt, McBride, Sharp, Torbert, Knox and Arnold; Representatives Maroney and Smith.
Signed by the Governor 2/5/86.

This bill adopts the Uniform Determination of Death Act.

Senate Bill 206
Sponsor: Senator Adams.
Became law without the signature of the Governor on 2/12/86.

This bill prohibits visitation by grandparents under certain circumstances.

Senate Bill 220
Sponsors: Senators Marshall and McBride; Representatives Spence and Jonkiert.
Signed by the Governor 7/10/86.

This bill requires a mandatory minimum imprisonment for those convicted of robbery in the second degree against persons 65 years of age or older.

Senate Bill 227
Sponsors: Senator Vaughn and Representative Davis.
Signed by the Governor 6/23/86.

This bill amends the court pleadings and practice section of Title 10 of the Delaware Code.

Senate Bill 354
Sponsors: Senators Vaughn, Citro, Slatcher, Torbert and Cook; Representatives Spence, Reynolds, B. Ennis, Jester, Davis, Van Sant and Houghton.
Signed by the Governor 5/21/86.

This bill permits the Violent Crimes Compensation Board to grant awards for other than pecuniary loss.

Senate Bill 380
Sponsors: Senator Vaughn; Representatives Quillen and Barnes.
Signed by the Governor 6/27/86.

This bill changes the Delaware Code relating to occasion for suing out writs of scire facias; parties and notice.

Senate Bill 384
Sponsors: Senators Vaughn and Cook; Representatives B. Ennis, Jester and Van Sant.
Signed by the Governor 6/30/86.

This bill amends the Delaware Code relating to the term of guardianship.

Senate Bill 432
Sponsors: Senators Holloway, Adams, Bair, Bane, Berndt, Citro, Cordrey, Knox, Martin, McBride, McDowell, Minner, Slatcher, Torbert, Zimmerman; Representatives Bennett, Boykin, Corrozi, B. Ennis, D. Ennis, Hebner, Outten, Petrilli, Spence and Van Sant.
Signed by the Governor 6/19/86.

This bill amends the Foster Care Review Act by requiring the Board to assume jurisdiction over 100% of those children in foster care in Delaware by March 1, 1987. This amends the responsibility of the Board for review of those children in foster care from 50% as had been stated in the Act.

Senate Bill 497
Sponsors: Senators Holloway, Marshall and Berndt; Representatives Maroney, Sills, West, Van Sant, Plant and Davis.
Signed by the Governor 7/8/86.

This bill provides line-of-duty death benefits for certain employees of the Courts.

Senate Bill 507
Sponsor: Senator Torbert.
Signed by the Governor 7/3/86.

This bill updates the Delaware Code regarding Justice of the Peace Court Constables.

Senate Bill 530
Sponsors: Senator Vaughn and Representative Spence.
Signed by the Governor 7/8/86.

This bill provides a mechanism for judicial oversight once a termination of parental rights has been granted.

Senate Bill 533
Sponsors: Senators Sharp, Bane, Berndt, Citro, Cordrey, Vaughn and Zimmerman; Representatives Spence, Hebner, Jonkiert, Reynolds and Van Sant.
Signed by the Governor 6/18/86.

This bill amends the Delaware General Corporation Law.

Senate Bill 577
Sponsor: Senator Cordrey.
Signed by the Governor 7/3/86.

This bill revises and enacts certain laws relating to banks and trust companies as fiduciaries, and to the administration of estates and trusts.

HOUSE OF REPRESENTATIVES

House Bill 32
Sponsors: Representatives Roy, Bennett, Boykin, Buckworth, Steele, Cordrey, Corrozi, Reynolds, B. Ennis, D. Ennis, Houghton, Jonkiert, Mack, Taylor, Petrilli, Quillen, Smith and Van Sant; Senators Adams, Bair, Berndt, Citro, Slatcher, Martin and Sharp.
Signed by the Governor 6/13/86.

This bill changes the method of execution in Delaware from hanging to lethal injection.

House Substitute No. 1 for House Bill 116
Sponsors: Representatives Barnes, Buckworth, Davis, Hebner, Jonkiert, Oberle, Reynolds, Spence, B. Ennis and Houghton; Senators Citro, Connor, McBride and Vaughn.
Signed by the Governor 7/9/86.

This bill provides for a Delaware Racketeer Influenced and Corrupt Organizations Act.

House Bill 228
Sponsors: Representative Maroney; Senator Holloway.
Signed by the Governor 2/3/86.

This bill amends the Delaware Code relating to child support enforcement.

House Bill 261
Sponsors: Representatives Petrilli, Boykin, Anderson, Brady and Van Sant; Senator Marshall.
Signed by the Governor 6/30/86.

This bill amends the escheat law relating to unclaimed corporate stock.

House Bill 326
Sponsors: Representatives Maroney, Barnes and Steele; Senators Connor and Torbert.
Signed by the Governor 7/9/86.

This bill revises the Delaware Code regarding certain sexual offenses and redefines other sexual offenses.

House Bill 409
Sponsor: Representative Bennett.

This is a Constitutional Amendment permitting the Sheriffs of Kent and Sussex Counties to run for four-year terms and removes restrictions on succeeding themselves in office.

House Bill 452
Sponsors: Representatives Spence, Houghton, Caulk, Carey, Roy, Hebner, Oberle, Davis, Reynolds, B. Ennis, Van Sant, Taylor, Steele and D. Ennis; Senators McBride, Sharp and Connor.
Signed by the Governor 7/3/86.

This bill provides various minimum mandatory periods of incarceration for those offenders convicted of vehicular homicide.

House Bill 464
Sponsors: Representatives Jonkiert and Spence.
Signed by the Governor 7/9/86.

This bill increases certain jurisdictional amounts from $300 to $500.

House Bill 508
Sponsors: Representatives Taylor and Van Sant; Senators Bair and Holloway.
Signed by the Governor 7/9/86.

This bill relates to the Uniform Controlled Substances Act offenses and penalties.